

LEBANON BOROUGH SEWERAGE AUTHORITY  
MINUTES  
FEBRUARY 4, 2010

The meeting of the LEBANON BOROUGH SEWERAGE AUTHORITY was called to order by Secretary Susan Woods at 7:30 PM in the 3<sup>RD</sup> Floor Conference Room in the Round Valley Executive Center, 3 Werner Way, Lebanon NJ..

MEMBERS PRESENT: Edward Cichone, Richard Burton, William Lachenmayr, John Saharic and Leona Burton.

Also present: Attorney Joseph Novak, Engineer Jim Hill, Auditor William Colantano and Secretary Susan Woods

The meeting was convened in compliance with the Open Public Meetings Act

**REORGANIZATION**

**OATH OF OFFICE**

Mr. Novak administered the Oath of Office to **Leona Burton**; her term expires 1/31/2015

**NOMINATION OF CHAIRMAN**

Mr. Burton moved and Mr. Lachenmayr seconded the motion nominating Edward Cichone for Chairman for 2010.

No other nominations. Mr. Burton moved and Mr. Saharic seconded the motion to close nominations.

All voted in favor of nominating **EDWARD CICHONE CHAIRMAN FOR 2010.**

Chairman Edward Cichone took over the meeting.

**NOMINATION OF VICE-CHAIRMAN**

Mr. Saharic moved and Mr. Lachenmayr seconded the motion nominating Richard Burton for Chairman of 2010.

No other nominations.

Mr. Saharic moved and Mr. Lachenmayr seconded the motion to close nominations.

All voted in favour of **RICHARD BURTON AS VICE CHAIRMAN FOR 2010.**

**APPOINT SECRETARY/TREASURER**

Mrs. Burton moved and Mr. Burton seconded the motion appointing Susan Woods as Secretary/Treasurer for the year 2010. Motion carried: All ayes

**RESOLUTIONS 10-02 TO 10-09**

Mr. Burton moved and Mrs. Burton seconded the motion approving the following Resolutions. Motion carried – All Ayes

RESOLUTION NO. 10-02

WHEREAS, on January 1, 2006, the “New Jersey Local Unit Pay-to-Play” Law, *N.J.S.A. 19:44A-20.4 et. seq.*, became effective; and

WHEREAS, the Lebanon Borough Sewerage Authority has a need to award certain professional contracts for services required by the Authority in calendar year 2010; and

WHEREAS, the Pay-to-Play Law permits such services to be acquired through two processes, including the “non-fair and open” process as defined in *N.J.S.A. 19:44A-20.7* on those contracts where it is anticipated that the total cost will exceed \$17,500.00; and

WHEREAS, the public good and interest of the citizens of the Borough of Lebanon will best be served by the “non-fair and open” process to secure experienced professional services, rather than the “fair and open” process of awarding a contract to the lowest bidder; and

WHEREAS, each professional will be required to first complete and submit a Business Entity Disclosure Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Chairman and Commissioners of the Lebanon Borough Sewerage Authority, as follows:

1. The following professional 2010 contracts shall be awarded under the “non-fair and open” process:
  - Authority Auditor
  - Authority Engineer
  - Authority Attorney (as to Litigation and Special Projects)
  - Authority Insurance Agent
2. The said professionals, prior to securing such contract, shall execute and file with the Secretary of the Authority, a 2010 Business Entity Disclosure Certification pursuant to *N.J.S.A. 19:44A-20.8*

RESOLUTION NO. 10-03

AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS  
FOR THE RETENTION OF PROFESSIONAL SERVICES FOR THE  
LEBANON BOROUGH SEWERAGE AUTHORITY FOR CALENDAR YEAR 2010

WHEREAS, the Lebanon Borough Sewerage Authority has a need to retain certain professionals to provide various consulting services and it has been resolved to retain such services on a non-fair and open contract basis pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term of the professional contracts shall be one (1) year, commencing on February 1, 2010 and terminating on January 31, 2011; and

WHEREAS, the Lebanon Borough Sewerage Authority Secretary has determined and certified in writing that the value of each of these professional services may, in the aggregate, exceed \$17,500.00; and

WHEREAS, each professional will be required to complete and submit a Business Entity Disclosure Certification which will certify that the said professional consultant and their firm have not made any reportable contributions to a political or candidate committee in the previous one year, and that their contract will prohibit the said professional consultant and their firm from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Chairman and Commissioners of the Lebanon Borough Sewerage Authority, on the 4<sup>th</sup> of February, 2010 as follows:

1. The following professionals are hereby retained by the Lebanon Borough Sewerage Authority for the period of time commencing on February 1, 2009 through January 31, 2010 on a non-fair and open basis:
  - James Hill, P.E., Thomas L. Yager & Associates – Engineer

- William Colantano – Auditor
  - Joseph S. Novak, Esq., Novak & Novak, LLC – (Attorney as to Litigation and special projects)
2. The Business Entity Disclosure Certification to be executed by each professional and the Secretary’s Determination of Value shall be placed on file with this Resolution.
  3. Each Contract is awarded without competitive bidding and the Chairman and Authority Secretary are authorized to execute Contracts for these professional services, and which Contracts are subject to review and approval by the Authority Attorney.

RESOLUTION NO. 10-04  
AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS  
FOR THE RETENTION OF PROFESSIONAL SERVICES (**INSURANCE**) FOR THE  
LEBANON BOROUGH SEWERAGE AUTHORITY FOR CALENDAR YEAR 2010

WHEREAS, the Lebanon Borough Sewerage Authority has a need to retain certain professionals to provide various consulting services and it has been resolved to retain such services on a non-fair and open contract basis pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term of the professional contract shall be one (1) year, commencing on January 1, 2010 and terminating on December 31, 2010; and

WHEREAS, the Lebanon Borough Sewerage Authority Secretary has determined and certified in writing that the value of these professional services may, in the aggregate, exceed \$17,500.00; and

WHEREAS, the professional will be required to complete and submit a Business Entity Disclosure Certification which will certify that the said professional consultant and their firm have not made any reportable contributions to a political or candidate committee in the previous one year, and that their contract will prohibit the said professional consultant and their firm from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Chairman and Commissioners of the Lebanon Borough Sewerage Authority, on this 4<sup>th</sup> day of February, 2010 as follows:

1. The following professional is hereby retained by the Lebanon Borough Sewerage Authority for the period of time commencing on January 1, 2010 through December 31, 2010 on a non-fair and open basis:
  - Brown & Brown of N.J., LLC –Insurance Agent
2. The Business Entity Disclosure Certification to be executed by the professional and the Secretary’s Determination of Value shall be placed on file with this Resolution.
3. The Contract is awarded without competitive bidding and the Chairman and Authority Secretary are authorized to execute the Contract for professional services, and which Contract is subject to review and approval by the Authority Attorney.

RESOLUTION NO. 10-05  
WAIVER OF LATE FEES

WHEREAS, on occasion sewer users request a waiver of interest on past due accounts;  
and

WHEREAS, there are occasions when such requests have merit;

NOW, THEREFORE, BE IT RESOLVED that the Lebanon Borough Sewerage Authority Secretary/Treasurer, Susan Woods, is hereby given the authority to waive up to fifty Dollars (\$50.00) in interest on past due accounts if she so determines that the circumstances warrant a waiver.

RESOLUTION NO. 10-06  
PAYMENT OF INVOICES IF MEETING CANCELLED

WHEREAS, in the absence of a regular public meeting of the Lebanon Borough Sewerage Authority which was required to be cancelled; and

WHEREAS, invoices for the operating expenses which would normally be approved for payment at said meeting should be paid in a prompt manner;

NOW, THEREFORE, BE IT RESOLVED that the Chairman and/or Vice Chairman and/or Secretary/Treasurer be authorized to approve said invoices and issue checks in payment thereof; and

BE IT FURTHER RESOLVED that a listing of said invoices be submitted to the full membership for ratification at the next regularly scheduled meeting of the Authority.

RESOLUTION NO. 10-07  
AUTHORIZING THE INVESTMENT OF IDLE FUNDS  
AND FUND TRANSFERS

WHEREAS, it is desirable that idle funds of the Lebanon Borough Sewerage Authority (LBSA) be invested in legal investment vehicles at all times; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of meeting current Authority expenses or for the purpose of effecting investment;

NOW, THEREFORE, BE IT RESOLVED by the Lebanon Borough Sewerage Authority in the County of Hunterdon and State of New Jersey, that it does hereby authorize Susan Woods, Secretary/Treasurer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles; and

BE IT FURTHER RESOLVED that the above named Secretary/Treasurer is hereby authorized to transfer funds by wire solely for the purposes and subject to all pertinent regulations.

1. To or from LBSA checking or savings accounts to other LBSA accounts
2. To or from LBSA checking or savings accounts to or from specified banks or the State of New Jersey Cash Management Fund solely for the purpose of investing for the account of the LBSA.

RESOLUTION NO. 10-08  
DESIGNATING REGULAR MEETING PLACE & DATES,  
AND OFFICIAL NEWSPAPERS

WHEREAS, the Open Public Meetings Act requires that notice of meetings for the year be sent to a local newspaper for information purposes. Any change in meeting dates, times or place shall be sent to the official newspaper at least 48 hours in advance of all such meetings.

THEREFORE, BE IT RESOLVED by the Lebanon Borough Sewerage Authority that:

1. The Lebanon Borough Sewerage Authority hereby adopts the first Thursday of each month as its regular meeting date, to be held at 7:30 PM. For the first three month the meetings will be held in the 3<sup>RD</sup> floor conference room at Round Valley Executive Center, 3 Werner Way, Lebanon NJ; Beginning in April the meeting will be at 6 High Street, Lebanon NJ.

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2. The Authority hereby designates the Hunterdon County Democrat as the official newspaper, with the Courier News and Hunterdon Review as alternate/additional official newspapers..

**RESOLUTION NO. 10-09  
PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, it is required by State Law that no public contract can be awarded until the prospective contractor has agreed to contract performance which complies with the approved Affirmative Action Plan; and

WHEREAS, the Lebanon Borough Sewerage Authority is required to annually designate a Public Agency Compliance Officer (PACO);

NOW, THEREFORE, BE IT RESOLVED that the Lebanon Borough Sewerage Authority does hereby designate Susan Woods as Public Agency Compliance Officer for the year 2010.

**RESOLUTION 10-10**

Mr. Burton moved and Mr. Saharic seconded the motion approving Resolution 10-10 as follows. Motion carried on roll call vote ABSTAIN: Edward Cichone AYES: Richard Burton, Leona Burton, William Lachenmayr and John Saharic

**RESOLUTION NO. 10-10  
BANK DEPOSITORIES**

WHEREAS, it is desirable that idle funds of the Lebanon Borough Sewerage Authority be invested in legal investment vehicles at all times;

NOW, THEREFORE, BE IT RESOLVED by the Lebanon Borough Sewerage Authority in the County of Hunterdon, State of New Jersey, that it does hereby approve the following depositories:

TD BANK  
SUN NATIONAL BANK  
BANK OF AMERICA  
UNITY BANK  
PEAPACK & GLADSTONE BANK  
WACHOVIA BANK  
PNC BANK  
COMMUNITY FIRST BANK  
INVESTORS SAVING BANK  
NJ CASH MANAGEMENT FUND

**REGULAR MEETING**

**APPROVE JANUARY MINUTES**

Mr. Saharic moved and Mrs. Burton seconded the motion approving the minutes of the January 2010 meeting. Motion carried.

**COACH HOUSE LLC ~ BLK 6 LOTS 14 & 14.01**

Alex Patullo and Robyn Brinkerhoff present.

Planning Board has requested Mr. Patullo provide another COAH unit on the site. This can be done by converting the garage/basement to a 1-bedroom residential unit. An amended application has been submitted and the appropriate fees paid.

Mr. Hill has reviewed the revised plan. The new basement apartment would be a 2-bedroom as would the house in the rear of the property; therefore another 450 gpd is required. 1,725 gpd total capacity will be required for the site in accordance with State regulations. There will be 3 COAH units; if the State changes the law that COAH units are no longer required, they will convert to regular market units. With the redistribution of bedrooms an additional 250 gpd will have to be purchased. The Authority has this capacity available both in the regular reserve and in the COAH reserve.

Mr. Burton moved and Mr. Saharic seconded the motion approving the amended application to add an additional sewer capacity as a result of discussions with the Planning Board/Board of Adjustment which requested one more COAH unit, bringing it to a total of 3 COAH units necessitating the purchase of two additional sewer units which the Authority will allocate from its COAH reserves; for a total of three new units; bringing the site to a total of 8 residential units. Motion carried – All Ayes

Mr. Hill will update the COAH chart.

**BOROUGH ROAD PROJECT – NITZER AVENUE**

Councilman Michael Reino present.

Nitzer Avenue appears to be the only project that will impact the LBSA. The one concern is that the sewer line be installed either at the same time and in conjunction with the Borough repaving or prior to the repaving. Discussion held as to which would be the most economical and practical method.

It was determined that the LBSA would move forward with installing the sewer line and not wait for the Borough; as the Borough does not have an actual time frame for the work as yet.

Approximate cost of project is estimated at \$40,000.00.

**2010 USER RATE**

Mrs. Burton moved and Mr. Lachenmayr seconded the motion to open the meeting to the public. Motion carried – All Ayes

**OPEN TO PUBLIC – NONE PRESENT – CLOSED TO PUBLIC**

RESOLUTION 10-12 USER RATES FOR 2010

Mr. Burton moved and Mr. Saharic seconded the motion approving Resolution 10-12 as follows which states that the rate will remain the same for another year. Motion carried on roll call vote: AYES: Mr. Cichone, Mr. Burton, Mrs. Burton, Mr. Lachenmayr and Mr. Saharic

**RESOLUTION NO.10-12  
2010 USER CHARGE**

The following Schedule of Service and Other Charges are hereby established for users of the Lebanon Borough Sewerage Authority system for fiscal year **2010**. These charges have been determined to be necessary in order to pay all expenses of the operation and maintenance of the Lebanon Borough Sewerage Authority system, including reserves, insurance, extensions and replacements as may be deemed necessary or desirable by the Lebanon Borough Sewerage Authority.

**Sewer Service or Use Charges:**

The annual sewer service or use charge shall be **\$320.00** per unit of measurement, payable in equal quarterly installments on the last business day of each quarter; March, June, September and December, and in accordance with the Resolution of this Authority establishing the units of measurement on the various types of uses being serviced or allocated by the Sewerage Authority.

**2010 CONNECTION/TAPPING FEE**

Mrs. Burton moved and Mr. Saharic seconded the motion to open the meeting to the public. Motion carried – All Ayes

OPEN TO PUBLIC – NONE PRESENT – CLOSED TO PUBLIC

**RESOLUTION 10-11 2010 CONNECTION/TAPPING FEE**

Mr. Burton moved and Mr. Saharic seconded the motion approving Resolution 10-11 as follows and setting the 2010 Connection/Tapping Fee at \$3,012.00 as shown in the 2010 Service Charges Schedule as listed below.

**RESOLUTION NO. 10-11  
2010 CONNECTION/TAPPING FEE**

WHEREAS, NJ.SA. 40:14A-8 authorizes the Lebanon Borough Sewerage Authority (hereinafter “LBSA”) to charge and collect rents, rates, fees or other charges (hereinafter “Service Charges”) for the direct or indirect connection with, or the use or service of, the LBSA system; and

WHEREAS, such service charges may be charged to and collected from any person contracting for such connection or use or service of from the owner or occupant, or both of them, of any property which directly or indirectly is, or has been connected with the system, or from or on which originates, or has original sewage or other waste which directly or indirectly have entered or may enter the LBSA system, and the owner of any such property shall be liable and shall pay such service charges to the LBSA at the time and place as established by the Authority; and

WHEREAS, in addition to such periodic service charges, a separate charge in the nature of a connection fee or tapping fee, in respect to each connection of any property with the LBSA system may be imposed upon the owner or occupant of property so connected, and which charge shall be uniform and equivalent to the actual cost of physical connection, plus an amount computed to represent a fair payment toward the cost of the system, which amount shall be sufficient to pay all expenses of the construction, operation and maintenance of the LBSA system, including reserves, insurance, extensions and replacements as from time to time may be necessary; and

WHEREAS, the members of the LBSA, in consultation with their Auditor, Engineer and Attorney have reviewed the LBSA records of the Authority and recomputed such service charges and connection fee to be applicable for the **2010** fiscal year of the Authority as more particularly set forth in the attached “**2010 Schedule of Service and Other Charges**”; and

WHEREAS, the Secretary of the LBSA has arranged for publication of notice of the proposed adjustment of service charges and other charges in at least two newspapers of general circulation in the area serviced by the Authority, the said public hearing on **February 4, 2010** and a copy of such notice and the proposed “**2010 Schedule of Service and Other Charges**” was served upon the Clerk of the Borough of Lebanon.

NOW, THEREFORE, BE IT RESOLVED on this **4<sup>th</sup> day of February, 2010** by the Chairman and members of the Lebanon Borough Sewerage Authority as follows:

1. The LBSA has conducted a public hearing and with the assistance of the Authority Auditor and engineer, provided evidence at the public hearing showing that the proposed adjustment of the service charges and other charges is necessary and reasonable; and providing those persons in attendance at the public hearing with an opportunity for questions and statements for the consideration of the LBSA; and a copy of the minutes of such public hearings are available upon request to any interested party.
2. Based upon the foregoing, the Lebanon Borough Sewerage Authority hereby adopts the “**2010 Schedule of Service and Other Charges**” to be paid for services and for sewer service or use charges and connection fees for the fiscal year **2010** of the authority commencing as of **January 1<sup>st</sup>, 2010 through December 31<sup>st</sup>, 2010**.
3. A true copy of the “**2010 Schedule of Service and Other Charges**” shall be kept on file at the office of the LBSA and shall be available for public inspection during normal business hours of the Authority

### **2010 SCHEDULE OF SERVICE CHARGES**

The following Schedule of Service and Other Charges and Fees is hereby established for users of the Lebanon Borough Sewerage Authority system for fiscal year **2010**.

These charges have been determined to be necessary in order to pay all expenses of the operation and maintenance of the Lebanon Borough Sewerage Authority system, including reserves, insurance, extensions, replacements, as well as principal and interest on any and all debt service and to maintain such reserves of sinking funds therefore as may be deemed necessary or desirable by the Lebanon Borough Sewerage Authority.

#### **Sewer Service or Use Charges**

The Annual Sewer Service or Use Charge shall be **\$320.00** per unit of measurement, payable in equal quarterly installments on March 30<sup>th</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 30<sup>th</sup> of each year, and in accordance with the Resolution of this Authority establishing the units of measurement on the various types of uses being serviced or allocated by the Sewerage Authority.

#### **Connection Fee**

A one-time Connection Fee shall be paid by those persons making application for connection to and receiving approval by the Lebanon Borough Sewerage Authority of an allocation of sewerage capacity during the fiscal year **2010**. The amount of the Connection Fee shall be **\$3,012.00** per unit as defined in the Unit of Measurement Resolution #10-2004 previously adopted by the LBSA. Thereafter,

in addition to the Connection Fee, the approved party shall commence paying the annual Sewer Service Charge beginning with the quarter next following execution of the Contribution, Allocations and Service agreement with the user.

### **ENGINEER'S REPORT**

1 HIGH ST - Mr. Hill investigated a reported blockage at 1 High Street. Roto Rooter had been called but could not clear the line. Mr. Hill was not notified until the following day. It was determined that the home owner had recently had the driveway paved and the contractor had paved over the clean out.

Apgar & Sons have submitted a quote to locate and replace the sleeves for the cleanouts at 1 and 3 High Street – total cost \$700.00. The home owner paid for the repairs. The Borough will be asked to consider requiring a permit for repaving driveways to ensure cleanouts are not covered when paving.

Mr. Burton moved and Mr. Saharic seconded the motion approving and accepting the Apgar and Sons quote for locating and replacing the sleeves at 1 & 3 High Street. Motion carried on roll call vote- AYES: Mr. Cichone, Mr. Burton, Mrs. Burton, Mr. Lachenmayr and Mr. Saharic

The homeowners will be notified that the LBSA is doing the work as a courtesy.

JENNIFER COURT - Mr. Hill explained that we do not have a copy available of the original deed description for the lines in The Commons at the present time.

The Commons HOA will be requested to prepare an inventory of laterals at risk because of nearby trees.

COAH – Capacity for Mr. Patullo's COAH units will come from the COAH reserve.

### **RESOLUTION 10-13 ~ SALARIES**

Mr. Burton moved and Mr. Saharic seconded the motion approving Resolution 10-13 as follows. Motion carried on roll call vote – AYES: Mr. Cichone, Mr. Burton, Mrs. Burton, Mr. Lachenmayr and Mr. Saharic

#### **RESOLUTION NO. 10-13 2010 SALARY SCHEDULE**

The following salary schedule is hereby approved for the year 2010.

Joseph S. Novak, Attorney	\$ 31,815.00
Susan J. Woods, Secretary/Treasurer	\$ 15,000.00

### **PROFESSIONAL 2010 CONTRACTS**

Mr. Novak has prepared the Yager and Colantano contracts for 2010, both reflect the budgeted amounts in the approved budget; as does his contract for services outside the parameters of his salary (Litigation and Special Projects).

Mr. Burton moved and Mrs. Burton seconded the motion approving the 2010 contracts for Thomas L. Yager and Associates, William M. Colantano, Jr. CPA and Joseph S. Novak, Esq. of Novak and Novak LLC. Motion carried on roll call vote – AYES: Mr. Cichone, Mr. Burton, Mrs. Burton, Mr. Lachenmayr and Mr. Saharic

**RLSA REPORT**

Dr. Vincent Schaible is now Chairman of the RLSA.. A Vice – Chairman has not been chosen at this time.

**PUBLIC COMMENTS – NONE**

**EXPENDITURES**

Mr. Burton moved and Mr. Saharic seconded the motion approving the following expenditures as shown. Motion carried on roll call vote – AYES: Mr. Cichone, Mr. Burton, Mrs. Burton, Mr. Lachenmayr and Mr. Saharic

GENERAL ACCT		EXPENSES
10-018	LBSA	PAYROLL \$4,067.07
10-019	NJSHBP	HEALTH INS \$1,463.01
10-020	RLSA	SEWER PLANT \$23,081.50
10-021	L BURTON	CONSULTANT \$396.50
10-022	CENTRAL MOVING	STORAGE OF FURNITURE \$40.00
10-023	CONSTRUCTION SPEC	LEASE \$770.00
10-024	TL YAGER & ASSOCS	ENGINEERING \$8,093.09
10-025	COURIER NEWS	LEGAL AD \$45.12
10-026	NJN PUBLISHING CO	LEGAL ADS \$57.62
10-027	RECORDER PUBLISHER	LEGAL AD \$8.84
10-028	BROWN&BROWN INS	WORKERS COMP ADJUSTMENT \$6.00
10-029	NORTH POLE INSULATION	REPAIR-16 CHESTNUT PL \$150.00
10-030	CENTURY LINK	TELEPHONE \$40.31
		<u>TOTAL \$38,219.56</u>

ESCROW ACCT			
E10-03	T L YAGER & ASSOCS	JDN	\$326.25
E10-04	TL YAGER & ASSOCS	PIZZO	\$1,525.50
E10-05	TL YAGER & ASSOCS	COACH HOUSE	\$911.50
E10-06	T L YAGER & ASSOCS	KAPLAN	<u>\$3,147.00</u>
		<u>TOTAL</u>	<u>\$5,910.25</u>

**MISCELLANEOUS**

BLK 6 LOT 1 ~ MASCIA/SONIC: Mr. Novak reported that the Mascia application for a Sonic fast food was rejected by the Planning Bd/Board of Adjustment therefore the Connection Fee

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will be returned to the applicant once all outstanding fees to both the Borough and the LBSA have been paid.

BLK 6 LOT 1 ~ CLINTON HONDA: Notice received regarding a hearing before the Lebanon Planning Bd/Board of Adjustment regarding use of the property for parking and displaying cars. Mr. Novak advised that the letter is to be ignored; Planning Board has not declared the application complete and no hearing has been scheduled.

Clinton Honda is to be billed for 1 unit only on this lot effective as of January 1, 2010.

BLK 10 LOT 2 ~ KAPLAN COMPANIES: Kaplan has paid the Yager invoices for February 2009; but the escrow requires replenishment for future professional inspections, etc.

BLK 2 LOTS 9, 10 & 11 ~ JDN: Nothing has been submitted, no deed or revised plan therefore the application is deemed incomplete. Also they are behind in paying escrow fees. Mr. Hill was advised not to work on the project until the escrow account is paid.

BLK 5 LOT 39.01 ~ BOGUT: Nothing received from Mr. Bogut regarding relinquishing some capacity as he requested at an earlier meeting. He is apparently selling the property; he went before Council to seek a variance.

### **ADJOURN**

Mr. Saharic moved and Mr. Lachenmayr seconded the motion to adjourn the meeting. Motion carried.

Respectfully submitted by,

Susan J. Woods,  
Secretary/Treasurer

CERTIFICATION: I hereby certify these to be true and correct copies of minutes as approved and corrected (see page 6) by the Commissioners at the meeting of March 4, 2010.

\_\_\_\_\_,  
Susan J. Woods, Secretary