

**BOROUGH OF PENNINGTON
RESOLUTION 2018-11.9**

**RESOLUTION AUTHORIZING ESCROW AGREEMENT FOR ENGINEERING SERVICES IN
CONNECTION WITH SEWER CONNECTION FOR 100 LEWIS BROOK ROAD**

WHEREAS, by Resolution 2018-5.6 adopted by Borough Council on May 7, 2018 (superseding Resolution 2018-4.11), Pennington Borough Council conditionally authorized expansion of the Pennington Sewer Service Area to include the property known as 100 Lewis Brook Road in Hopewell Township located partially in Pennington Borough (“the Property”);

WHEREAS, Resolution 2018-5.6 sets forth conditions for expansion of the Pennington Sewer Service Area to include the Property as well as conditions for Borough approval of the related sewer connection;

WHEREAS, in September 2020 the Borough entered into an Escrow Agreement with then owners Daniel Popkin and Robin Federiconi covering engineering services needed to satisfy the various conditions of approval as well as inspection of the installation and connection;

WHEREAS, the Property has since been sold to Gimbert and Carmen Fernandez (hereafter “Owners”) intending to reside at 100 Lewis Brook Road and now seeking to connect with the Pennington sewer system;

WHEREAS, the escrow agreement between the Borough and Popkin/Federiconi in September 2020 covering the services of the Borough Engineer is no longer operable and an agreement with the new Owners is required;

WHEREAS, the intent of this new agreement is to cover the fees and costs of the Borough Engineer not only in inspecting the force main installation in the Pennington Right-of-Way and inspecting the connection to the Borough sewer system but also in determining and/or confirming the Owners’ compliance with all conditions of approval contained in Resolution 2018-5.6;

WHEREAS, a copy of the proposed new Escrow Agreement between the Borough and Gimbert and Carmen Fernandez is attached to this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the attached Escrow Agreement between the Borough and Gimbert and Carmen Fernandez is hereby approved and the Mayor is hereby authorized to sign and enter into the Agreement on behalf of the Borough.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

Elizabeth Sterling, Borough Clerk