

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF MOUNT OLIVE REFUNDING CERTAIN COAH  
FEES COLLECTED BY THE TOWNSHIP TO MOUNT  
OLIVE VETERINARY HOSPITAL**

**WHEREAS**, the Mount Olive Veterinary Hospital applied for site plan approval and was granted site plan approval on July 12, 2007, which approval was authorized by a Resolution adopted on August 9, 2007; and

**WHEREAS**, in accordance with the Resolution of approval and the Developer's Agreement, the developer was required to pay a non-residential COAH fee to the Township of \$11,250.00; and

**WHEREAS**, the State of New Jersey, by way of a bill referred to as the New Jersey Economic Stimulus Act of 2009, placed a moratorium on the payment of 2.5% of the fair market value of a non-residential development and allows the developer who paid the 2.5% non-residential fee after July 17, 2008, to request a refund; and

**WHEREAS**, there is a question if a fee was paid to the Township, and the question the fee was paid after July 17, 2008 and hence the request now made by Mount Olive Veterinary Hospital is appropriate except for the fact that while the New Jersey Economic Stimulus Act of 2009 eliminates the 2.5% non-residential fee, it makes applicable the 2% residential fee to this particular development; and

**WHEREAS**, as a result, and based upon the factual scenario herein, the Mount Olive Veterinary Hospital is entitled to a refund of .5% of the estimate fair market value of the development which was approved and that amount is \$2,250.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council, Township of Mount Olive, based upon a review by the Planning Administrator and the Township Attorney, the Township Council does hereby approve a refund to the Mount Olive Veterinary Hospital of the sum of \$2,250.00.

TOWNSHIP OF MOUNT OLIVE

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STEVEN W. RATTNER  
Mount Olive Township Council President

I HEREBY CERTIFY the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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LISA M. LASHWAY  
Mount Olive Township Clerk