

RESOLUTION 2017-141

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING A RELEASE OF THE WATER
SYSTEM PERFORMANCE GUARANTEE FOR BARNEGAT
SENIOR APARTMENTS, BARNEGAT TOWNSHIP, NEW
JERSEY**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has received a request for the release of the water system performance guarantee posted on behalf of Barnegat Senior Apartments Barnegat Township, New Jersey (hereinafter referred to as the “property”); and

WHEREAS, the performance guarantees were posted in order to ensure proper installation of all site improvements; and

WHEREAS, in response to the request to release the performance guarantees the Township has received and carefully reviewed a letter dated January 26, 2017 from the Township’s consulting engineer; and

WHEREAS, the aforementioned letter confirms that all of the required improvements have been satisfactorily installed and completed, and therefore the Township's consulting engineer has no objection to the release of the performance bond, subject to the following items set forth in the Water Supply System Rules and Regulations:

- a) The applicant must submit the final as-built plans to the Township's consulting engineer in GIS format.
- b) The applicant must make application to the Township for a Certificate of Completion
- c) The applicant must submit all legal documents as are necessary to convey their interest in the facilities to the Township.
- d) The applicant must submit an affidavit that all contractors, subcontractors and materialmen have been paid.

WHEREAS, the Township finds that the recommendations of its consulting engineer is appropriate and proper, and in accordance with the Township Land Use Ordinance.

NOW, THEREFORE, BE IT RESOLVED, this 7th day of March, 2017, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

1. The Township accepts the recommendations of its consulting engineer and authorizes a release of the performance guarantees issued for the properly, subject to the posting of a two-year maintenance bond in the amount of \$8,576.00.

2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

3. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Albert Bille, Mayor;
- (b) Martin Lisella, Township Administrator;
- (c) Jerry J. Dasti, Esquire;
- (d) John J. Hess, P.E.;
- (e) Roger Budd, Water & Sewer Utility Manager
- (f) Joseph Del Duca, Esq, Walters Group
- (g) Tom Lombarski, CFO, Township of Barnegat.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on March 7, 2017, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC, TOWNSHIP CLERK

Prepared by:
**DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**
Forked River, New Jersey 08731

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

Z:\CLIENT MATTERS - GL\Barnegat\SPECIAL GENERAL [RETAINER]\GL-22253 Barnegat Senior Apts, LLC\Resolution release of Perf Guarantee water system.doc