

## RESOLUTION 2017 - 314

### RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE RELEASE OF A PERFORMANCE GUARANTEE FOR FRANK E. KEARNEY, BLOCK 250 LOT 15, 396 N. MAIN STREET SITE IMPROVEMENTS PUNCH LIST ITEMS

**WHEREAS**, Frank E. Kearney, the developer of Block 250 Lot 15, 396 N. Main Street has requested the release of Performance Guarantee for Site Improvements; and

**WHEREAS**, the Township Engineer has inspected subject site, and recommends in his letter dated August 29, 2017, the punch list of items below being completed prior to the Performance Guarantee being released; now

#### Punch List, VBGP0250.01:

- 1) The driveway apron is cracked and must be replaced
- 2) The depressed curb at the access driveway is cracked and must be replaced
- 3) The depressed curb for the handicap ramp on the westerly side of the access driveway is cracked and must be replaced
- 4) The handicap ramp at the intersection of NJSH Route 9 and Water Street is cracked and must be replaced
- 5) It remains for the sidewalk providing access from the sidewalk along the rear (east side) of the front building to the parking lot on the easterly side of the front building to be installed
- 6) There is an elevation difference of several inches between the top of curb at the front of the handicap parking space adjacent to the rear garage building and the existing concrete pad on the northerly side of the garage building. As a result, a trip hazard exists at this location which must be resolved
- 7) The slope of the paver walk providing access from the parking lot to the rear garage building exceeds the maximum permitted slope for a handicap accessible ramp. The design of the paver walk must be revised to comply with the barrier-free sub-code
- 8) The downspout at the northwest corner of the front building adjacent to Route 9 must be connected to the recharge trench located in the front yard as shown on the plans
- 9) The trash receptacle enclosures for both buildings remain to be installed
- 10) The landscaping items set forth in the August 10, 2017 letter from the Taylor Design Group must be addressed

Once the outstanding punch list items have been completed and accepted by the Township, the performance guarantee may be released subject to the Applicant posting a 2-year maintenance guarantee in the amount of \$2,039.00 which is 15% of the estimated cost of the right-of-way improvements. We note that no maintenance guarantee is required for the on-site improvements.

**THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the request for the release of the performance guarantee is hereby denied based on the punch list items recommended by the Township Engineer, in his letter dated August 29, 2017.

**CERTIFICATION**

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held at the Municipal Complex, 900 West Bay Avenue, Barnegat, on the 5<sup>th</sup> day of September 2017

---

Michele Rivers, RMC  
Municipal Clerk