

RESOLUTION 2017 - 344

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A HOLD HARMLESS AGREEMENT WITH D.R. HORTON, INC. - 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 from representatives of D.R. Horton, Inc. - New Jersey (hereinafter referred to as the “Developer”); and

WHEREAS, the request from the Developer is to the effect that the Developer be allowed to temporarily construct a gravel driveway for its sales office, until final approval is received from the New Jersey Pinelands Commission to allow for a macadam driveway; and

WHEREAS, a copy of a Hold Harmless Agreement (hereinafter referred to as the “Agreement”) is on file at the office of the Township Clerk and can be reviewed by the public during normal business hours; and

WHEREAS, the proposed Agreement has been reviewed by the Township’s professional and administrative staff and found to be acceptable as to form and content; and

WHEREAS, the proposed Agreement is similar to other agreements previously entered into by the Township in order to avoid unnecessary delays from State regulatory agencies.

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of October, 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 professional and administrative staff and approves the aforementioned Hold Harmless Agreement, a true copy of which is on file at the office of the Township Clerk and can be reviewed by the public during normal business hours.

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.) John J. Hess, P.E., P.P.;
- d.) Jerry J. Dasti, Esquire;
- e.) Township Building Department; and
- f.) Todd D. Greene, Esquire for D.R. Horton, Inc. - New Jersey.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on October 3, 2017, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC, TOWNSHIP CLERK

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

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