

RESOLUTION 2017- 72

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A RELEASE OF THE PERFORMANCE GUARANTEES POSTED BY UNITED FAITH CHURCH FOR 1160 W. BAY AVENUE, A/K/A BLOCK 92.12, LOT 9.01, MANAHAWKIN, 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 performance guarantees posted on behalf of United Faith Church for property known and designated as 1160 W. Bay Avenue, a/k/a Block 93.12, Lot 9.01, 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, including landscaping details; and

WHEREAS, in response to the request to release the performance guarantees the Township has received and carefully reviewed letters dated December 19, 2016 from the Township’s landscape architect, and January 13, 2017 from the Township’s consulting engineer; and

WHEREAS, each of the aforementioned letters confirm that all of the site improvements and landscaping improvements have been satisfactorily installed and completed, and therefore neither of the Township professionals have any objection to the release of the performance bond, subject to the posting of a two-year maintenance bond in the amount of \$12,509.00, which represents fifteen (15%) percent of the original estimated construction cost of the right-of-way improvements of \$83,395.00; and

WHEREAS, the Township finds that the recommendations of its professional staff are appropriate and proper, and in accordance with the Township Land Use Ordinance.

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

COUNSELLORS AT LAW

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

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

1. The Township accepts the recommendations of its professional staff and authorizes a release of the performance guarantees #SN4001775, issued by United Faith Church for the property, subject to the posting of a two-year maintenance bond in the amount of \$12,509.00.

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) Scott D. Taylor, LLA; and
- (f) 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 February 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

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