

## RESOLUTION 2009-508

### RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE RELEASE OF THE SITE IMPROVEMENTS PERFORMANCE GUARANTEE FOR HERITAGE POINT, SOUTH, SECTION 4

Whereas, Mignatti Company, the developer of Heritage Point, South, Section 4, has requested the release of a Performance Guarantee for the Site Improvements, and

Whereas, the Township Engineer has performed a site inspection on the subject site, and in his letter dated July 16, 2009, recommends denying the release of the Performance Guarantee for the Site Improvement for Heritage Point, South, Section 4, as follows:

1. The sidewalk must be repaired at the following locations:

Replace the cracked sidewalk across from #3 Solomans Drive.  
Replace the settled sidewalk in front of #49 Hatteras Way.  
Replace cracked the sidewalk between #23 and #25 Vineyard Way.  
Replace the sidewalk that has settled in front of 415 Vineyard Way.

2. Repair the sink hole in the pavement in front of #45 Hatteras Way.
3. Repair the open pavement joints at both intersections of Hatteras Way and Solomans Drive.
4. Reset the utility boxes which have settled between #4 and #6 Vineyard Way.
5. All stop signs need to be brought to the proper height as stipulated in the Manual on Uniform Traffic Control Devices.

6. The following Resident complaints remain to be addressed:

12 Solomans Drive — Resident reports a drainage complaint and dead landscaping at the rear of the lot; sump pump runs for a couple of days after a heavy rain. Complaint dated May 4, 2009.

21 Vineyard Way — Resident reports drainage issues and a dead tree as a result of the water problem. Complaint dated May 14, 2008.

63 Hatteras Way — Resident reports on-going drainage issues on right side of her property (the developer addressed the left side and it appeared to

be working). Complaint dated April 16, 2008.

7.The landscaping items set forth in the June 24, 2009 and July 15, 2009 letters from the Taylor Design Group (copies attached) must be addressed.

Therefore, be it resolved by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the reduction of the Performance Guarantee for the Site Improvements for Heritage Point, North, Section 4 is hereby denied.

### **CERTIFICATION**

I, Kathleen T. West, 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 Township Committee of said Township at their regular meeting held on the 3<sup>rd</sup> day of August, 2009, in the Municipal Court Room, 900 West Bay Avenue, Barnegat, New Jersey.

---

Kathleen T. West, RMC  
Municipal Clerk