

RESOLUTION 2010-168

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING THE RELEASE OF THE SANITARY SEWER SYSTEM IMPROVEMENTS PERFORMANCE GUARANTEE FOR BARNEGAT NINE PLAZA

Whereas, Barnegat Route 9, LLC, the developer of Barnegat Nine Plaza, has requested the release of the Performance Guarantee for the Sanitary Sewer System Improvements, and

Whereas, the Township Engineer has performed an inspection on the subject site, and recommends approving the release of the Performance Guarantee for the Sanitary Sewer System Improvements for Barnegat Nine Plaza per the Engineer's letter dated February 25, 2010, and

Whereas, the release in the Performance Guarantee for the Sanitary Sewer System Improvements for Barnegat Nine Plaza is contingent upon the following items being addressed:

1. The sewer cleanout must be cut down to grade and a brass cap installed.
2. It remains for the 1.5" FABC surface course to be installed on the force main trench in Georgetown Boulevard, where the force main ties into the existing sanitary sewer manhole.
3. It remains for a final sewer as-built to be submitted to the Township Engineer's Office.

Now, therefore be it resolved that the Township Committee of the Township of Barnegat hereby approves the Performance Guarantee for the Sanitary Sewer System Improvements for Barnegat Nine Plaza once the below listed items have been received by the Township of Barnegat:

1. Applicant must make application to the Township of Barnegat for a "Certificate of Completion" as set forth in the Water Supply System Rules and Regulations (Exhibit "D").
2. Applicant must submit all legal documents as are necessary to convey their interest in the facilities to the Township of Barnegat (Exhibit "E").
3. Applicant must submit an affidavit that all contractors, subcontractors and materials have been paid (Exhibit "F").

4. Applicant must post a two-year maintenance guarantee in the amount of \$4,852.00 which represents 15% of the original construction costs of \$32,345.00

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 15th day of March, 2010, in the Municipal Court Room, 900 West Bay Avenue, Barnegat, New Jersey.

Kathleen T. West, RMC
Municipal Clerk