

RESOLUTION 2015-257

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A RELEASE OF THE PERFORMANCE GUARANTEES FOR SANITARY SEWER AND WATER FACILITIES FOR HAMPTON RIDGE (i.e. TALL CEDARS, LLC)

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (the "Township"), has received a letter of recommendation from its consulting engineer, John Hess, P.E.; and

WHEREAS, the letter of recommendation dated August 13, 2015 is to the effect that the water and sewer performance guarantees for Hampton Ridge should be released, subject to posting of appropriate maintenance guarantees; and

WHEREAS, the close out documents submitted by the contractor have been reviewed by the Township Engineer and Township Solicitor and found to be acceptable as to form and content ; and

WHEREAS, the release of the performance guarantees, conditioned upon receipt of the maintenance guarantees, is in accordance with the Township's Land Use Ordinance.

NOW, THEREFORE, BE IT RESOLVED, this 17th day of August, 2015, by the Township Committee of the Township of Barnegat, County of Ocean, State New Jersey, as follows:

1. The Township accepts the recommendations of its professional engineer and authorizes a release of the performance guarantees, subject to receipt of the maintenance guarantees of: Water System Improvements: \$31,556.00 which represents fifteen (15%) of the original construction cost of \$210,375.00. Sanitary Sewer System: \$34,718.00, which represents fifteen (15%) of the original construction cost of \$231,450.50. The release of the guarantees is for the sanitary sewer Bond #1017257 and water facilities Bond #1017258 within the Hampton Ridge property site.

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 copy of this resolution shall be forwarded by the Township Clerk to the following:

- a. The Honorable Susan McCabe, Mayor;
- b. Township Administrator;
- c. John Hess, P.E.;
- d. Sean Kean, Township Attorney
- e. Jerry J. Dasti, Esq., W/S Attorney;

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

COUNSELLORS AT LAW

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

f. Tall Cedars, LLC.

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 Township Committee at a regular meeting held on the 17th day of August, 2015, 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

Z:\CLIENT MATTERS - GL\Barnegat\WATER-SEWER [RETAINER]\GL-22970 Water Sewer Resolutions 2015\Resolution re Hampton Ridge - Tall Cedars, LLC.GL-23601 doc

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