

RESOLUTION 2015-262

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, AUTHORIZING EXECUTION OF
INDEMNIFICATION, HOLD HARMLESS AND RELEASE
AGREEMENT WITH CARDINALE AND BARNEGAT
CROSSINGS ASSOCIATES 1, LLC**

WHEREAS, Cardinale and Barnegat Crossings Associates 1, LLC (hereinafter the “Applicant”) is the owner of real property known as Block 92.11, Lots 24.10, 24.11 and 24.12 on the Tax Map of the Township of Barnegat (hereinafter the “Property”); and

WHEREAS, Applicant has received amended site plan approval from the Barnegat Township Planning Board to permit the construction of a mixed-use development consisting of age-restricted apartments and commercial uses (hereinafter the “Project”); and

WHEREAS, Applicant wishes to proceed with the commencement of construction for some of the required site improvements related to the Project (the “Approved Work”); and

WHEREAS, the Approved Work will be limited to site grading, retaining wall, sanitary sewer main, water main and drainage system for the Project; and

WHEREAS, in order to proceed in beginning the Approved Work on the Project, the Township has requested and Applicant has agreed to execute an Indemnification, Hold Harmless and Release Agreement to discharge the Township from any and all actions and liability related to the Applicant’s Approved Work.

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

1. The Township Committee hereby authorizes the execution of the Indemnification, Hold Harmless and Release Agreement.

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

COUNSELLORS AT LAW

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

2. A copy of the Agreement will be available in the office of the Township Clerk during normal business hours.

3. 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.

4. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Susan McCabe, Mayor;
- (b) David Breeden, Township Administrator;
- (c) Jerry J. Dasti, Esquire;
- (d) Sean Kean, Township Attorney
- (e) John Hess, P.E.;
- (f) Kathleen Janeski, CFO, Township of Barnegat; and
- (g) Cardinale and Barnegat Crossings Associates 1, LLC

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat certify that the foregoing Resolution was duly adopted by the Township Committee at a meeting held on the 17th day of August 2015, a quorum being present and voting in the majority.

Michele Rivers, RMC
Municipal Clerk

Prepared by:

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

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