

**RESOLUTION 2015- 293**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE REQUEST FOR A RELEASE OF THE MAINTENANCE BOND FOR THE HERITAGE POINT NORTH SECTION 7B, MODEL AREA**

**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 Mignatti Companies, developer of Heritage Point North Section 7B – Model Area, for a release of the maintenance bond for the water system improvements(LOC#SB1597560001); and

**WHEREAS**, the Township has received and carefully reviewed a letter of recommendation from its consulting engineer for the project, John J. Hess, P.E., P.P. of CME Associates, which letter of recommendation is dated September 8, 2015; and

**WHEREAS**, the letter of recommendation recommends that the maintenance bond not be released because of the punch list items set forth in the aforementioned letter, a true copy of which is on file at the office of the Township Clerk, and can be reviewed during normal business hours; and

**WHEREAS**, the Township finds that the recommendations of its consulting engineer are appropriate, and in the long term best interests of the Township and its residents.

**NOW, THEREFORE, BE IT RESOLVED**, this 21<sup>st</sup> day of September, 2015, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township accepts the recommendation of its consulting engineer for this project and denies the request for the release of the maintenance bond for the reasons set forth in the aforementioned letter of September 8, 2015.

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

COUNSELLORS AT LAW

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

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 Susan McCabe, Mayor;
- (b) John Hess, P.E., P.P.;
- (c) Sean Kean, Township Attorney;
- (d) Jerry J. Dasti, Esquire; and
- (e) Roger Budd, Water and Sewer Utility Superintendent.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on September 21, 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

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

COUNSELLORS AT LAW

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