

RESOLUTION NO. 2016-369

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF BARNEGAT, COUNTY OF
OCEAN, STATE OF NEW JERSEY AUTHORIZING A
RELEASE OF THE PERFORMANCE GUARANTEE
FOR THE TEMPORARY WATER SERVICE
CONNECTION, LOCATED AT BLOCK 164, LOT 2.01,
BARNEGAT TOWNSHIP, NEW JERSEY**

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 the developer, DeSapio Development, Inc., for a release of the Performance Bond for the temporary water service connection affecting property known and designated as Block 164, Lot 2.01, Barnegat Township, New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, as a result thereof, the Township has received and carefully reviewed a letter of recommendation dated September 6, 2016 from its consulting engineer for the project, John J. Hess, P.E., P.P.; and

WHEREAS, the letter of recommendation from the Township's consulting engineer is to the effect that the Performance Guarantee can be released inasmuch as the temporary water service connection to the hydrant supply line have been abandoned and each building on the property has been connected to the water main on West Bay Avenue; and

WHEREAS, the consulting engineer for the Township also has opined that as result there is no need for the developer to post a two year Maintenance Guarantee; and

WHEREAS, the Township finds that the recommendations of its consulting engineer are appropriate, and in accordance with the Township Land Use Ordinance and Sewer and Water Rules and Regulation

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

COUNSELLORS AT LAW

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

NOW, THEREFORE, BE IT RESOLVED, this 4th day of October, 2016, that the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows; and

1. The Township accepts the recommendations of its consulting engineer for the project and authorizes a release of the Performance Bond posted for the temporary water service connection.

2. The Township, under the circumstances, does not require the posting of a two year Maintenance Guarantee for this project.

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:

- 1.) Honorable John J. Novak, Mayor, Mayor;
- 2.) Martin Lisella, Township Administrator;
- 3.) John J. Hess, PE, PP, CME Associates;
- 4.) Thomas Lombarski, Township CFO;
- 5.) Jerry J. Dasti, Esquire;

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on October 4th, 2016, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC, TOWNSHIP CLERK

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