

## RESOLUTION 2017 - 257

### RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE REQUEST FOR THE RELEASE OF SITE IMPROVEMENT MAINTENANCE BOND FOR HAMPTON RIDGE

**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 from the developer Tall Cedars LLC for Hampton Ridge development (hereinafter collectively referred to as the "property") for a release of the Site Improvement Maintenance Bond #10171259M, for the property; and

**WHEREAS**, under the Municipal Land Use Law, maintenance bonds remain in effect for a period of two years, and

**WHEREAS**, in conjunction therewith, the Township has received a carefully reviewed letter of recommendation dated June 20, 2017 from its consulting engineer for the project, John J. Hess, PE, PP; and

**WHEREAS**, in this regard, the above consulting engineer has inspected the site and found that the items on the below punch list must be corrected prior to release of the maintenance bond #1017259M, and

**WHEREAS**, the letter of recommendation is to the effect that the request should be denied for the reasons set forth in letter dated March 20, 2017 contingent upon the following:

#### **PUNCH LIST**

1. The post and rail fence around each detention basin is deteriorated. It remains for all broken and/or rotted fence posts and rails must be replaced.
2. The post and rail swing gate in Detention Basin B is broken and must be replaced.
3. The parging between the castings and the inlet structure at inlets CB-A1, CB-A2 and CB-27 is deteriorated. These inlet castings must be replaced.

**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, and in compliance with the Township's Land Use Ordinance.

**NOW, THEREFORE BE IT RESOLVED**, this 11<sup>th</sup> day of July, 2017 by the Barnegat Township Committee, as follows:

1. The Township accepts the recommendations of its consulting engineer for the project and denies the request for a release of the Site Improvement Maintenance Bond, #1017259M.

2. The Site Improvement Maintenance Bond shall not be released until all items set forth in the letter of recommendation dated June 20, 2017 are fully complied with, corrected and approved by the consulting engineer.
3. The Township authorizes and directs the Mayor, Township Clerk and the Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Township Clerk to:

- (a) Honorable Albert Bille, Mayor
- (b) Martin Lisella, Township Administrator
- (c) John Hess, P.E
- (d) Marian Knowles, Hampton Ridge
- (e) Lexon Insurance Company, 1002 Shelbyville Road, Louisville, KY 40223
- (f) Jerry J. Dasti, Esquire

#### **CERTIFICATION**

I, Michele A. 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 Barnegat Township Committee at their regular meeting held at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey, on the 11<sup>th</sup> day of July, 2017.

---

Michele A. Rivers, RMC  
Municipal Clerk