

**RESOLUTION 2017 - 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 PERFORMANCE GUARANTEE, HERITAGE POINT NORTH - SECTION 6B**

**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 release of performance guarantee for Heritage Point North - Section 6B, Barnegat Township, New Jersey (hereinafter referred to as the “property”); and

**WHEREAS**, in conjunction with the request the Township has received and carefully reviewed the letters of recommendation from its Consulting Engineer for the project, John J. Hess, P.E., P.P. dated July 5, 2017, and Scott D. Taylor, LLA, AICP, Township Landscape Architect dated June 9, 2017; and

**WHEREAS**, both letters of recommendation are to the effect that the performance guarantee should not be released pending completion of the items referenced in the two (2) review letters; and

**WHEREAS**, the Township finds that the recommendations of its Township Professional Staff is appropriate and in accordance with the Township Land Use Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** this 1<sup>st</sup> day of August, 2017, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. For the reasons set forth in the two (2) aforementioned review letters, the request for the release of the performance guarantee for the property is hereby denied.

**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 Albert Bille, Mayor;
- (b) Martin Lisella, Township Administrator;
- (c) John J. Hess, P.E., P.P.;
- (d) Scott D. Taylor, LLA, AICP;
- (e) Jerry J. Dasti, Esquire; and
- (f) Tom Lombarski, C.F.O.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on August 1, 2017, a quorum being present and voting in the majority.

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**MICHELE RIVERS, RMC, TOWNSHIP CLERK**

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

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

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