

## RESOLUTION 2017 – 384

### 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 GUNNING HILL ESTATES

**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 Tedesco Homes, Inc. for Gunning Hill Estates (hereinafter collectively referred to as the “property”) for a release of the Site Improvement Maintenance Bond #18114650-00-000, 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 October 26, 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 18114650-00-000, and

**WHEREAS**, the letter of recommendation is to the effect that the request should be denied for the reasons set forth in letter dated October 26, 2017 contingent upon the following:

#### **PUNCH LIST**

1. The broken Belgium block in the depressed curb in front of 2 Tedesco Way must be replaced.
2. There are various locations throughout the development where the grout in the Belgium block curb is cracked or missing. These locations must be re-grouted.
3. The cracked apron in front of 15 Tedesco Way must be replaced.
4. The cracked sidewalk in front of 9 Tedesco Way must be replaced.
5. The swing gate at the drainage basin is broken and must be repaired.
6. The wire mesh on the post and rail fence surrounding the basin must be reattached to the posts along with the section of fence adjacent to the roadway.
7. There are five locations where the top course pavement is cracked. The pavement at these locations must be milled and repaved.
8. The detectable warning surfaces on the handicap ramp(s) at the intersection of Seurat Street and Pacific Avenue are damaged and must be replaced.
9. The landscape deficiencies set forth in the October 18, 2017 letter from Taylor Design Group, Inc. (copy attached to this Resolution) must be addressed.

**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 14<sup>th</sup> day of November, 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, #18114650-00-000.
2. The Site Improvement Maintenance Bond shall not be released until all items set forth in the letter of recommendation dated October 26, 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) Tedesco Homes, Inc.
- (e) PNC Bank, 500 First Avenue-2<sup>nd</sup> Floor, Pittsburg, PA 15219; Mail Stop P7-PFSC-02-T
- (f) Scott D. Taylor, LLA, PP, LEED AP, Taylor Design Group
- (g) 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 14<sup>th</sup> day of November, 2017.

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Michele A. Rivers, RMC  
Municipal Clerk