

RESOLUTION NO. 2019 – 329

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
DENYING RELEASE OF A MAINTENANCE BOND TO
BARNEGAT SENIOR APARTMENTS, LLC, FOR
BLOCK 195.03, LOT 12.**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, (“The Township”), is holding a Maintenance Bond for site improvements completed by developer Barnegat Senior Apartments, LLC, for property known as Block 195.03, Lot 12, on the tax map of the Township of Barnegat; and

WHEREAS, the two-year Maintenance Bond was set to expire on August 30, 2017; and

WHEREAS, the Township is in receipt of correspondence dated September 9, 2019 from the Township Engineer which attaches correspondence dated September 6, 2019 from the Township’s Landscape Architect, both of which are attached hereto, indicating that the landscape improvements are not acceptable and therefore the Township’s professionals recommend that the Maintenance Bond not be released; and

WHEREAS, the Township accepts the recommendations of its professional staff, and denies the request for release of the Maintenance Bond and that the developer should coordinate the Township’s Landscape Architect and Township Engineer to remedy the deficiencies so that the items can be further inspected.

NOW, THEREFORE, BE IT RESOLVED on this ____ day of October, 2019, by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

LAW OFFICES OF
CHRISTOPHER J. DASTI
COUNSELLOR AT LAW
900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731

1. The Township hereby accepts the recommendations of its professional staff set forth in the September 9, 2019 correspondence from the Township Engineer and the September 6, 2019 correspondence from the Township Landscape Architect and hereby denies the request for the release of the Maintenance Bond by Barnegat Senior Apartments, LLC for Block 195.03, Lot 12.
2. Barnegat Senior Apartments, LLC must remedy the deficiencies set forth in the correspondence of the Township's professionals so that items can be re-inspected.

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

- (a) Alfonso Cirulli, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Thomas Lombarski, Township C.F.O.
- (d) Barnegat Senior Apartments, LLC
- (e) Kurt J. Otto, P.E., Township Engineer
- (f) Scott D. Taylor, Landscape Architect
- (g) Martin Lisella, Township Administrator
- (h) Christopher J. Dasti, Esq., Township Attorney

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CERTIFICATION

I CERTIFY that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on _____, a quorum being present and voting in the majority.

Michele Rivers, Township Clerk

Prepared by:

**THE LAW OFFICES OF
CHRISTOPHER J. DASTI**

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