

RESOLUTION NO. 2020 – 90

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RELEASE OF THE DRAINAGE
CASH BOND FOR HERITAGE POINT NORTH,
SECTION 7A**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (“the Township”), previously adopted Resolution 2017-390A which required Mignatti Companies to post a cash bond in the amount of \$87,000.00 to insure that all outstanding drainage complaints in Section 7A of the Heritage Point North project have been corrected; and

WHEREAS, to date, \$45,000.00 remains on the cash bond as all other matters have previously been addressed; and

WHEREAS, the Township Engineer has completed the inspections and has recommended the full release of the cash bond remaining, \$45,000.00, pursuant to the Township Engineer’s November 26, 2019 correspondence and the Township Engineer’s January 23, 2020 correspondence, both of which are attached hereto and made a part hereof; and

WHEREAS, the Township accepts the recommendation of its professional staff; and

WHEREAS, the Mignatti Companies have further advised that the entire cash portion remaining (\$45,000.00) is to be transferred into a separate escrow account for the Township to be utilized for the posting of a cash bond to finalize the landscape issues for Section 6A, 6B, 7A and 7B of Heritage Point North, pursuant to Resolution Nos.: 2020-70, 2020-71, 2020-72, and 2020-73.

NOW, THEREFORE, BE IT RESOLVED this 4th day of February 2020 by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, and 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 and pursuant to the November 26, 2019 correspondence of the Township Engineer and the January 23, 2020 correspondence of the Township Engineer the \$45,000.00 cash bond which is being held in escrow for the drainage issues for Heritage Point North, Section 7A is hereby released.

2. The said cash bond in the amount of \$45,000.00 is released and shall be released and transferred into a separate escrow account to be held and utilized for the landscape maintenance issues to provide for as the cash bond and escrow fees pursuant to Resolution Nos.: 2020-70, 2020-71, 2020-72, and 2020-73.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) John J. Novak, Mayor;
- (b) Martin Lisella, Township Administrator;
- (c) Christopher J. Dasti, Township Attorney;
- (d) Steve McKenna, Mignatti Companies;
- (e) John Paul Doyle, Esq., Attorney for Mignatti Companies;
- (f) Tom Lombarski, Chief Financial Officer;
- (g) Kurt J. Otto, PE, Township Engineer;
- (h) Scott D. Taylor, AICP, PP, LLA, LEED, AP, Township Landscape Architect
- (i) Christine Roessner, Finance Dept.

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on February 4, 2020, 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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