

RESOLUTION NO. 2021 –259

**RESOLUTION OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, DENYING RELEASE OF A
PERFORMANCE GUARANTEE FOR D.R.
HORTON FOR SEACREST PINES, PHASE II**

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (the “Township”) has received a request from D.R. Horton, Inc. (“Developer”); and

WHEREAS, the Developer posted Performance Guarantee No. SNN4004779 for site improvements for the Project; and

WHEREAS, the Township Engineer has provided a site inspection of the improvements and has found that the requested release of the performance guarantee was not accompanied by the required documentation in accordance with the Township Code and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, the Township Engineer issued a review memorandum dated July 27, 2021, a copy of which is attached hereto and made a part hereof, recommending that the performance guarantee not be released at this time and not until the punch list items noted in the Landscape Architect’s review memorandum, as well as additional punch list work to be issued by the Township Engineer is completed; and

WHEREAS, the Township accepts the recommendations of its professional staff.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of August 2021 by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township hereby denies the request for the release of Performance Guarantee Bond No. SNN4004779 posted by D.R. Horton, Inc. for Seacrest Pines, Phase II in accordance with the July 27, 2021 review memorandum of the Township Engineer

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ATTORNEYS AT LAW

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which incorporates and attaches the June 28, 2021 review memorandum of the Township Landscape Architect, both of which are attached hereto and made a part hereof.

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

- (a) Al Bille, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Christine Roessner, Finance Dept.
- (d) Kurt Otto, PE, CME, CFM Township Engineer
- (e) Scott Taylor, Landscape Architect
- (f) Tom Lombarski, CFO
- (g) D.R. Horton, Applicant
- (h) Christopher J. Dasti, Township Attorney

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on August 3, 2021, a quorum being present and voting in the majority.

Donna M. Manno, RMC
Township Clerk

Prepared by:
DASTI & ASSOCIATES

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