

**RESOLUTION NO. 2012-100**

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING SOLICITATION OF BIDS TO COMPLETE  
SITE IMPROVEMENTS IN THE BLUE CLAW  
SUBDIVISION, BARNEGAT TOWNSHIP, NEW JERSEY**

**WHEREAS**, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has been involved in litigation with Home Mark Homes, Inc. and the Bonding Company which posted performance guarantees to ensure completion of site improvements within the Blue Claw Subdivision, Barnegat Township, New Jersey (the "Project"); and

**WHEREAS**, the Township has settled its differences in litigation with the Bonding Company, although the Township continues to litigate its differences with Home Mark Homes, Inc.; and

**WHEREAS**, the Township is committed to completing the site improvements within the Project, utilizing funds provided by the Bonding Company as part of the settlement with the Township; and

**WHEREAS**, the Township Engineer has prepared formal bid specifications in order to obtain bids so as to complete the remaining site improvements within the Project.

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

COUNSELLORS AT LAW

620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

**NOW, THEREFORE, BE IT RESOLVED**, this     day of February, 2012,  
by the Township Committee of the Township of Barnegat, County of Ocean,  
State of New Jersey, as follows:

1.     The Township authorizes the solicitation of bids pursuant  
to the plans and specifications prepared by the Township Engineer, in order  
to complete the site improvements within the Project.

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 Alfonse Cirulli, Mayor;
- (b) David Breeden, Administrator;
- (c) John J. Hess, P.E.
- (d) Jerry J. Dasti, Esquire; and
- (e) Kathleen Janeski, CFO

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the  
Township of Barnegat at a meeting held on February     , 2012, a quorum  
being present and voting in the majority.

**SHARON AUER, ACTING TOWNSHIP CLERK**

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,  
CHERKOS & CONNORS  
Forked River, New Jersey 08731

JJD:faw/Barnegat Resolutions 2012-GL#20148]

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