## **RESOLUTION 2015-255**

## A RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY DENYING THE RELEASE OF PERFORMANCE GUARANTEE FOR SITE IMPROVEMENTS, AND AUTHORIZING A REDUCTION OF PERFORMANCE GUARANTEE FOR SITE TO TEDESCO HOMES, GUNNING HILL ESTATES

**WHEREAS,** Tedesco Homes, Inc., the developer of Gunning Hill Estates has requested the release of a Performance Guarantee for Site Improvements, LOC #18114650-00-000; and

**WHEREAS**, the Township Engineer has inspected the subject site, and recommends denying the release of the Performance Guarantee for Gunning Hill Estates in his letter dated July 29, 2015; now

**THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the request for the release of the Performance Guarantee is hereby denied based on the recommendation of the Township Engineer in his letter dated July 29, 2015 contingent upon the following punch list items being satisfactorily completed:

- The entire storm sewer system in the development, including all off-site connections to its outlet, must be as-builted (2 copies) by a licensed NJ Land Surveyor.
- All inlets must be cleaned free of all silt, sand and debris of any kind.
- Remove all inlet filters and SEC measures.
- Repair broken/damaged block mortar at CB #1.
- All required traffic markings must be installed.
- Install curb across terminus of Seurat Street as shown on sheet 3 of the plans.
- Install timber barricade across terminus of Seurat Street as shown on the plans.
- Install the 105 ft. long concrete block retaining wall on the westerly side of Seurat Street to the north of the intersection with Matisse Avenue as shown on the plans.
- The walking path connecting Tedesco Way to Keel Road must be installed in accordance with the approved plans.
- The guide rail must be reassembled properly at the blends and curves.
- The overgrown vegetation on the sidewalk along the westerly side of Seurat Street from house #62 Gunning River Road must be cut back.
- Replace the inlet castings on Tedesco Way at Seurat Street (CB#1 & CB#2) with "DUMP NO WASTE" castings.
- Replace the inlet castings on CB#4, CB#5 & CB#6 with American made castings.
- Install aluminum overflow grate and orifice trash grate on Outlet Control Structure. In addition, the Outlet Control Structure must be cleaned and all trash and debris removed.
- Install catch basin traps on the discharge side of CB#2, CB#3, CB#4, CB#5 CB#6 and CB#7.
- Provide letter from the Ocean County Engineering Department indicating that the improvements that were constructed within the Gunning River Road right-of-way are acceptable.

The landscaping items set forth in the June 30, 2015 letter from Taylor Design Group as listed below must be addressed:

The attached Punch List of items should be addressed, including, but not limited to:

- 1. General:
  - a. All stakes and guys should be removed 1 year after installation
- 2. On-lot Reforestation Plantings:
  - a. A number of lots have dead on-lot plantings including:
    - 5 ornamental trees
    - 3 evergreen trees
    - 2 shade trees
- 3. Street Trees:
  - a. 5 street trees have died, are severely declining or are missing and are to be removed and/or replaced.
  - b. A number of street trees have been identified for specific actions such as pruning, straightening and staking or monitoring.

**BE IF FURTHER RESOLVED** according to records the performance guarantee for this project was previously reduced to 44% of the original performance guarantee amount by Resolution 2013-162 adopted March 5, 2012. It is noted that the required improvements are substantially complete. Therefore there is no objection to the performance guarantee being further reduced to 30% of the original amounts as set forth below:

	Original <u>Amounts</u>	Previously Reduced Amounts	New Amounts by this Reduction
Performance Guarantee:	\$932,314.00	\$410,218.00	\$279,694.00
Surety Bond or LOC:	\$839,083.00	\$369,196.00	\$251,725.00
Cash:	\$ 93,231.00	\$ 41,022.00	\$ 27,969.00

## 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 Township Committee of the Township of Barnegat at their regular meeting held on the 17<sup>th</sup> day of August 2015, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Michele A. Rivers, RMC Municipal Clerk