

RESOLUTION 2017 - 388

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A REDUCTION OF THE PERFORMANCE GUARANTEE FOR THE WHISPERING HILLS - PHASE 3 SANITARY SEWER SYSTEM FACILITIES

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has received a request from the developer for Whispering Hills - Phase 3 (the "Project") for a reduction in the Performance Guarantee for the sanitary sewer system facilities; and

WHEREAS, in conjunction with that request the Township has received and carefully reviewed a recommendation from its consulting engineer for the Project dated October 4, 2017, John J. Hess, PE, PP; and

WHEREAS, the letter of recommendation from the township consulting engineer is that the sanitary sewer system facilities for the Project have been substantially completed, and therefore his office has no objection to a reduction of the Performance Guarantee in the amounts set forth in the letter of October 4, 2017; and

WHEREAS, the Township finds that the letter of recommendation from its consulting engineer is appropriate and in accordance with the Township Land Use Ordinance and the Township Sanitary Sewer and Water Regulations; and

NOW, THEREFORE, BE IT RESOLVED, this 14th day of November, 2017, by the Township Committee of the Township of Barnegat, County of Ocean State of New Jersey as follows:

1. The Township accepts the recommendations of its consulting engineer for the project and authorizes a reduction in the Performance Guarantees as follows:

	Original Amount	New Amount by this Reduction
Performance Guarantee:	\$ 177,546.00	\$ 53,264.00
Surety Bond or Letter of Credit	\$ 159,791.00	\$ 47,937.00
Cash:	\$ 17,755.00	\$ 5,327.00

2. The Township authorizes and directs the Mayor, the 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 Albert Bille, Mayor
- b.) Martin Lisella, Township Administrator;
- c.) Thomas Lombarski, Township CFO
- d.) John H. Hess, PE, PP
- e.) Joseph DelDuca, Esquire
- f.) Jerry J. Dasti, Esquire

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Barnegat Township Committee at a meeting held on November 14, 2017, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC, TOWNSHIP CLERK

Prepared by:
DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS
 Forked River, New Jersey 08731