

RESOLUTION 2018 - 139

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE FOR WATER SYSTEM FACILITIES, WHISPERING HILLS - PHASE I

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 for the release of performance guarantees for the water system facilities, Whispering Hills - Phase I; and

WHEREAS, the request has been made by the developer, Walters Development Company; and

WHEREAS, in response to the request, the Township has received and carefully reviewed a recommendation from its Consulting Engineer for the project, John J. Hess, P.E., P.P., dated March 7, 2018; and

WHEREAS, the letter of recommendation from the Township Consulting Engineer is to the effect that the performance bond can be released upon posting of a two-year maintenance guarantee in the amount of \$81,336.00; and

WHEREAS, the Township finds that the letter of recommendation from its Consulting Engineer for the project is appropriate, and in accordance with the Township Land Use Ordinance and the Township Sanitary Sewer and Water Regulations.

NOW, THEREFORE, BE IT RESOLVED, this 3rd day of April, 2018, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

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

COUNSELLORS AT LAW

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

1. The Township accepts the recommendations of its Consulting Engineer for the project and authorizes the request for the release of the performance bond subject to the posting of a two-year maintenance guarantee in the amount of \$81,336.00.

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 Frank Caputo, Mayor
- b.) Martin Lisella, Township Administrator;
- c.) Thomas Lombarski, Township C.F.O.;
- d.) John H. Hess, P.E., P.P.;
- e.) Joseph DelDuca, Esquire for Walters Development Co.; and
- f.) Jerry J. Dasti, Esquire, Water & Sewer Attorney,

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Barnegat Township Committee at a meeting held on April 3, 2018, 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

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