

RESOLUTION 2018 - 182

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING A PARTIAL RELEASE OF CASH BOND FOR DRAINAGE
COMPLAINTS, FOR HERITAGE POINT NORTH - SECTION 7A**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") received a request from the developer of Heritage Point North - Section 7A (i.e. Mignatti Companies) (hereinafter referred to as the "developer") for the release of performance guarantee for Heritage Point North - Section 7A, Barnegat Township, New Jersey (hereinafter referred to as the "property"); and

WHEREAS, in conjunction therewith the Township passed resolution 2017-390A which stated the developer post \$87,000.00 (29 lots times \$3,000.00 per lot) to guarantee that all drainage complaints in Section 7A are corrected to the satisfaction of the Township Engineer and the individual homeowner; and

WHEREAS, the Township has received and carefully reviewed a recommendation from its Consulting Engineer for the project, John J. Hess, P.E., P.P., dated April 23, 2018; and

WHEREAS, the letter of recommendation from the Township Consulting Engineer is to the effect that a partial release of cash bond for drainage complaints be released at this time in the amount of \$24,000.00 (8 lots at \$3,000.00 each); and

WHEREAS, the Township finds that the recommendations of its Township Consulting Engineer are appropriate and in the best interest of the Township and the residents of Heritage Point;

WHEREAS, the Township agrees to the partial release of cash bond for drainage complaints, Heritage Point North, Section 7A; and

NOW, THEREFORE, BE IT RESOLVED this 1st day of May, 2018, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

The Township accepts the recommendations of its consulting engineer for the partial release of cash bond for drainage complaints subject to the conditions set forth in Resolution 2017-390A in the amount of \$24,000.00 (8 lots at \$3,000.00 each).

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.

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) John J. Hess, P.E., P.P.;
- (d) John Doyle, Esq., Attorney for Mignatti Inc.
- (e) Gregg Shiver, Esq., Attorney for Heritage Point HOA
- (f) Karen Gerdy, Mignatti, Inc.
- (g) Sean Kean, Esquire;
- (h) Tom Lombarski, C.F.O.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on May 1, 2018, a quorum being present and voting in the majority.

Michele Rivers, RMC
Township Clerk