

RESOLUTION 2019 – 296

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, DENYING THE REQUEST FOR THE RELEASE OF PERFORMANCE
GUARANTEE FOR SITE IMPROVEMENTS TO WALTERS DEVELOPMENT FOR ROSE
HILL ROAD SUBDIVISION
BARNEGAT BOULEVARD NORTH & ROSE HILL ROAD**

WHEREAS, Walters Development Co, LLC, the developer of Rose Hill Road Subdivision, Barnegat Boulevard North & Rose Hill Road has request the release of a Performance Guarantee for Site Improvements; and

WHEREAS, the Township Engineer has inspected the subject site, and recommends denying the release of the Performance Guarantee due to items that need to be addressed as stated in a letter dated August 6, 2019; and

WHEREAS, in a letter dated September 17, 2018 by the Township Engineer, the below summary of original and revised performance guarantee amounts were provided:

	ORIGINAL AMOUT	NEW AMOUNTS BY PREVIOUS REDUCTION
Performance Guarantee	\$ 163,812.00	\$ 49,144.00
Surety Bond or Letter of Credit	\$ 147,431.00	\$ 44,230.00
Cash	\$ 16,381.00	\$ 4,914.00

WHEREAS, the Township Engineer will not recommend further reductions of the Performance Guarantee amounts until all of the improvements mentioned in the Township Engineer’s Punch List of outstanding items dated July 31, 2019 and Landscape Architect’s letter dated June 18, 2019 have been completed and accepted by the Township. In addition, any reduction of the performance guarantee amounts should be conditioned upon the payment of any outstanding fees.

- The parging in all inlets, including between the inlet and casting, must be repaired where missing and/or damaged.
- A street tree at Lot 5.04 is leaning significantly. It will need to be straightened.
- The street trees along Rose Hill Road have soil and/or mulch piled up against the trunks of the trees. No soil should be placed on top of the root ball, and all mulch should be pulled back 2-3 inches from the trunk of the tree to minimize disease and pest infestation.
- The mulch rings of the street trees along Barnegat Boulevard exhibit excessive weeds and have little or no mulch. These areas should be weeded, and re-mulched.
- Eight (8) of the White Pine trees planted in the Landscape Buffer along Barnegat Boulevard are missing or dead, and need to be replaced.

- Four (4) of the Viburnum shrubs planted in the Landscape Buffer along Barnegat Boulevard are missing or dead, and need to be replaced.
- There is an area at the landscape buffer (on the slope facing Rose Hill Road) where the turf cover has not been satisfactorily established, and a bare area of soil exists. This area should be scarified, reseeded and mulched, and top soiled where necessary to establish vegetative cover.
- All stakes and guys should be maintained and removed after one (1) year.

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 until all corrections have been made and all such corrections have been approved.

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 Barnegat Township Committee at their regular meeting held at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey, on the 3rd day of September, 2019.

Michele A. Rivers, RMC
Municipal Clerk