

RESOLUTION NO. 2019 – 81

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
REJECTING REQUEST FOR THE RELEASE OF A
MAINTENANCE BOND FOR UNITED FAITH
CHURCH.**

WHEREAS, The Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey has received a request for the release of a Cash Maintenance Bond from United Faith Church; and

WHEREAS, on February 7, 2017 United Faith Church posted a Cash Maintenance Bond for project known as PB 09-13 in the amount of \$12,509.00 for site improvements located at 1150 West Bay Avenue, Barnegat, New Jersey; and

WHEREAS, pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. a maintenance bond remains in effect for a minimum period of two (2) years; and

WHEREAS, The Township Engineer and the Township Architect inspected the property and found that there are several landscaping deficiencies which must be corrected prior to the release of the maintenance bond. The landscaping deficiencies are more fully set forth in the January 18, 2019 correspondence from Scott D. Taylor, Township Landscape Architect; and

WHEREAS, as a result of the deficiencies set forth in the correspondence from the Township’s professionals, the Township hereby refuses to release the Maintenance Bond and shall continue same until the deficiencies set forth by the Township Landscape Architect are corrected.

LAW OFFICES OF
CHRISTOPHER J. DASTI
COUNSELLOR AT LAW
900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the Township hereby rejects the request to release the Maintenance Bond for United Faith Church, 1150 West Bay Avenue, Barnegat, New Jersey, Application No. PB 09-13 because of the landscaping deficiencies set forth in the January 18, 2019 correspondence from the Township Architect.

BE IT FURTHER RESOLVED that the Cash Maintenance Bond shall remain in effect until said deficiencies are corrected by the Applicant.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the following by the Township Clerk:

- (a) United Faith Church
- (b) Martin Lisella, Township Administrator
- (c) Tom Lombarski, CFO
- (d) Christopher J. Dasti, Esq.
- (e) Scott D. Taylor, Township Architect
- (f) John Hess, Township Engineer

CERTIFICATION

I CERTIFY that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on February 5, 2019, a quorum being present and voting in the majority.

**LAW OFFICES OF
CHRISTOPHER J. DASTI**

COUNSELLOR AT LAW

900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731

Michele Rivers, RMC
Township Clerk

Prepared by:

**THE LAW OFFICES OF
CHRISTOPHER J. DASTI**