

**RESOLUTION NO. 2021 –260**

**RESOLUTION OF THE TOWNSHIP OF  
BARNEGAT, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, DENYING RELEASE OF A  
PERFORMANCE GUARANTEE FOR WATER  
SYSTEM FACILITIES FOR  
SEACREST PINES, PHASE II**

**WHEREAS**, the Township of Barnegat, County of Ocean, State of New Jersey (the “Township”) has received a request from the Developer, D.R. Horton, Inc. (“Developer”) requesting release of Performance Guarantee for water system facilities improvements to Seacrest Pines, Phase II (the “Project”); and

**WHEREAS**, the Developer posted Bond No. SNN4004780 as a performance guarantee for the installation of site improvements for the above water system facilities improvements; and

**WHEREAS**, the Township Engineer conducted a site inspection of the improvements and has issued a review memorandum dated July 27, 2021, a copy of which is attached hereto and made a part hereof recommending that no bond reduction or release will be approved at this time because of items that still must be addressed by the Developer as set forth in the memorandum; and

**WHEREAS**, the Township accepts the recommendations of its professional staff.

**NOW, THEREFORE, BE IT RESOLVED** on this 3rd day of August 2021 by the Mayor and 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 professional staff and hereby denies the release and/or reduction of the Performance Guarantee Bond No. SNN4004780 for water system facilities improvements for Seacrest Pines, Phase II posted

DASTI & ASSOCIATES  
ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, N.J. 08753

by the Developer, D.R. Horton, Inc. in accordance with the July 27, 2021 review memorandum of the Township Engineer attached hereto and made a part hereof.

2. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Al Bille, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Kurt Otto, PE, CME, CFM Township Engineer
- (d) Roger Budd, Water Sewer Dept.
- (e) Christine Roessner, Finance Dept.
- (f) Tom Lombarski, CFO
- (g) D.R. Horton, Applicant
- (h) Christopher J. Dasti, Township Attorney

**CERTIFICATION**

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on August 3, 2021, a quorum being present and voting in the majority.

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Donna M. Manno, RMC  
Township Clerk

Prepared by:  
**DASTI & ASSOCIATES**

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