

## RESOLUTION 2023-110

### RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A RELEASE OF THE PERFORMANCE GUARANTEE FOR WATER SYSTEM FACILITIES UPON RECEIPT OF MAINTENANCE BOND FOR SEA CREST PINES, SECTION 2

**WHEREAS**, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, has been requested by the developer, D.R. Horton of Sea Crest Pines, Section 2 for the release of the Water Systems Performance Guarantee, Bond # SNN4004780 in the amount of \$95,799 which was reduced from original amount of \$372,309 by Resolution 2018-332; and

**WHEREAS**, the Township has received and carefully reviewed a letter of recommendation dated February 2, 2023 from its consulting engineer for the project, CME Associates; and

**WHEREAS**, the letter of recommendation is to the effect that all items have been installed in a satisfactory manner. Therefore the consulting engineer for the Township recommends that the performance guarantee be released contingent upon posting of a two (2) year maintenance bond in the amount of \$55,846.35 which represents fifteen (15%) percent of the original estimated construction costs of \$372,309.00; and

**WHEREAS**, the Township finds that letter of recommendation from its consulting engineer is appropriate, and in accordance with the Township Land Use Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, this 7<sup>th</sup> day of February, 2023, by the Township Committee of the Township of Barnegat, County of Ocean, State New Jersey, as follows:

1. The Township accepts the recommendations of its consulting engineer for the project and authorizes a release of the Water performance guarantee, subject to posting a two (2) year maintenance bond in the amount of \$55,846.35.

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

- a. Martin Lisella, Township Administrator
- b. David Barry, P.E.CME Associates;
- c. Thomas Lombarski, CFO;
- d. Christine Roessner, Finance Escrow
- e. Kurt Otto; Township Engineer
- f. Roger Budd, Water/Sewer Superintendent
- g. D.R. Horton, Applicant
- h. Christopher Dasti, Esquire

### **CERTIFICATION**

I, Donna M. Manno, 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 a meeting held on the 7<sup>th</sup> day of February, 2023.

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Donna M. Manno, RMC  
Municipal Clerk