

**RESOLUTION 2023-64**

**A RESOLUTION OF THE TOWNSHIP OF BARNEGAT,  
COUNTY OF OCEAN AND STATE OF NEW JERSEY  
DENYING PERFORMANCE BOND REDUCTION  
REQUEST OR BOND RELEASE FOR WATER SYSTEM  
FACILITIES FOR OCEAN ACRES PHASE 8**

**WHEREAS**, the Township Committee of the Township of Barnegat, State of New Jersey has received a request from the Developer Walters Development, Co. for release or further reduction of a Performance Guarantee (Bond #4-082-031) for Water System Facilities for a project known as Ocean Acres—Phase 8; and

**WHEREAS**, the Township’s consulting engineer CME Associates has inspected the Performance Guarantee and has provided a review memorandum dated November 26, 2022 recommending that no further bond reduction or release be approved at the present time; and

**WHEREAS**, a copy of the November 26, 2022 review memorandum from CME Associates is attached hereto and made a part hereof; and

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

**NOW THEREFORE BE IT RESOLVED** this 1st day of January 2023, by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

1. The Township accepts the recommendation of its professional staff and denies any bond reduction or release for Performance Guarantee Bond #4-082-031 for water system facilities for Ocean Acres—Phase 8 pursuant to the November 26, 2022 review memorandum of the Township’s consulting engineer CME Associates.

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

DASTI & ASSOCIATES  
ATTORNEYS AT LAW  
310 Lacey Road  
P.O. Box 779  
Forked River, NJ 08731

- (a) Mayor Pat Papi
- (b) Martin Lisella, Township Administrator
- (c) Tom Lombarski, CFO
- (d) Christine Roessner, Finance Department
- (e) Roger Budd, Water/Sewer Utility Manager
- (f) Kurt J. Otto, PE, PP, CME, Township Engineer
- (g) David Barry, PE, CME Associates
- (h) Christopher J. Dasti, Esq., Township Attorney
- (i) Walters Development Co.

**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 Township Committee of said Township at their Reorganization meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat on January 1, 2023

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Donna M. Manno, RMC  
Municipal Clerk

DASTI & ASSOCIATES  
ATTORNEYS AT LAW

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Forked River, NJ 08731

Prepared by:

**DASTI & ASSOCIATES, P.C.**