

RESOLUTION NO. 2024 – 107

**RESOLUTION OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, DENYING REQUEST FOR
RELEASE OF SITE PERFORMANCE GUARANTEE
FOR ON-SITE IMPROVEMENTS FOR EXIT 67
(FORMERLY BARNEGAT CROSSING)**

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (the “Township”) is holding Bond #1001083393 for site performance guarantee for on-site improvements for a development known as Exit 67, formerly known as Barnegat Crossing; and

WHEREAS, the developer Franklin Barnegat Developers LLC has requested a release of the performance guarantee; and

WHEREAS, the Township’s Consulting Engineer CME Associates has performed a site inspection of the improvements and has issued a review memorandum dated December 6, 2023, a copy of which is attached hereto and made a part hereof, recommending the performance guarantee cannot be released at this time because there are numerous items remaining to be completed as set forth in the review memorandum; and

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

NOW, THEREFORE, BE IT RESOLVED on this 6th day of February, 2024 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 recommendation of its professional staff and hereby denies the developer’s request for release of the performance

guarantee (Bond #1001083393) pursuant to the December 6, 2023 review memorandum of CME Associates. The applicant must finish the punch list items noted in the review memorandum. Upon completion of the items, the applicant can submit another request for inspection and release of the performance guarantee.

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

- (a) Joseph Marte, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Thomas Lombarski, CFO
- (d) Christine Roessner, Finance Office
- (e) Kurt J. Otto, PE, Township Engineer
- (f) Roger Budd, Water and Sewer Utility Manager
- (g) Christopher J. Dasti, Township Attorney
- (h) Zachary M. Jordan, PE, CME Associates
- (i) Franklin Barnegat Developers LLC, Applicant

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 their meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat New Jersey on February 6, 2024.

Donna M. Manno, RMC
Municipal Clerk