

RESOLUTION NO. 2023-355

**A RESOLUTION OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN AND STATE OF
NEW JERSEY DENYING RELEASE OF
MAINTENANCE GUARANTEE FOR
SITE IMPROVEMENTS FOR
OCEAN ACRES PHASE 8**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (“the Township”) is the holder of Maintenance Guarantee Bond #PB00459500135M posted by the Developer Walters Development Co. (“the Developer”) for development known as Ocean Acres Phase 8; and

WHEREAS, the maintenance guarantee was posted for site improvements; and

WHEREAS, the maintenance bond was posted on October 18, 2023 in the amount of \$390,911.25; and

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

WHEREAS, the Township’s Consulting Engineer CME Associates recently inspected the site and found that a number of punch list items need to be corrected prior to the release of the maintenance bond; and

WHEREAS, the Township’s Consulting Engineer issued a review memorandum dated September 9, 2025, a copy of which is attached hereto and made a part hereof, recommending denial of the release of the maintenance bond until the punch list of items set forth in the attached memorandum are completed to the satisfaction of the Township’s Consulting Engineer; and

WHEREAS, the Township accepts the recommendations of its professional staff; and

NOW THEREFORE BE IT RESOLVED this 7th day of October 2025, by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

1. The Township hereby denies release of the maintenance bond for Ocean Acres Phase 8 until the punch list items set forth in the attached review memorandum dated September 9, 2025, of the Township's Consulting Engineer are corrected to the satisfaction of the Township's Consulting Engineer.

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

- (a) Mayor Alfonso Cirulli
- (b) Martin Lisella, Township Administrator
- (c) Tom Lombarski, CFO
- (d) Kurt J. Otto, PE, Township Engineer
- (e) Zachary M. Jordan, CME Associates
- (f) Christine Roessner, Finance Department
- (g) Christopher J. Dasti, Township Attorney
- (h) Walters Development Co.

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on October 7, 2025, a quorum being present and voting in the majority.

Donna M. Manno, RMC
SITE Municipal Clerk