RESOLUTION 2013 – 92

RESOLUTION AUTHORIZING THE RELEASE
OF PERFORMANCE GUARANTEE FOR
GREENBRIAR OCEANAIRE, SECTION 4,
PHASE B, CONCRETE MONUMENTS

WHEREAS, Lennar Corporation has currently developed an age restricted residential community within the Township of Ocean known as Greenbriar Oceanaire; and

WHEREAS, in accordance with the approvals previously received for said project, the applicant has posted a certain Performance Guarantee for Section 4, Phase B, Concrete Monuments, in the amount of $3,600.00 as recommended in the Planning Board Engineer's Bond estimate; and

WHEREAS, the applicant has posted Bond No. 929367253 issued by Continental Insurance Company dated May 9, 2005 in the amount of $3,240.00 and a Cash Bond in the amount $360.00 pursuant to said approvals; and

WHEREAS, the applicant has now requested that the Township release said Performance Guarantees as they have completed the work as required; and

WHEREAS, by letter dated December 18, 2013 the Township Engineer, T&M Associates has recommended to the Township Committee that said Performance Bond be released as the work has been satisfactorily completed and in substantial conformance with approved subdivision plans and Planning Board approvals; and

WHEREAS, the Township Committee wishes to accept the recommendation of its Consulting Engineer.

DASTI, MURPHY McGUCKIN, ULAKY, CHERKOS & CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE BE IT RESOLVED this 9th day of January, 2014 by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

1. The applicant's request for release of Performance Guarantee as set for herein above for Section 4, Phase B, Concrete Monuments be and hereby is approved.

BE IT FURTHER RESOLVED that this Resolution shall be conditioned upon the applicant reimbursing the Township for all costs of any outstanding construction inspection fees.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Marleen Miller, Treasurer
2. David Breeden, Township Admin.
3. James Oris, Township Engineer
4. John Ritter, Greenbriar Oceanaire Community Association
5. Anthony Mignone, Lennar Corp.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey at a regular meeting held on the 9th day of January, 2014, quorum being present and voting in the majority.

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Diane B. Ambrosio, Municipal Clerk

Prepared by:
Gregory P. McGuckin, Esq.
Dasti, Murphy, McGuckin,
Ulaky, Cherkos & Connors

GPM/du

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DASTI, MURPHY
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