

RESOLUTION 2015 - 247

**RESOLUTION AUTHORIZING RELEASE OF
PERFORMANCE GUARANTEE LORD OF LORDS
BIBLE COMMUNITY CHURCH, BLOCK 195, LOT 1.04**

BE IT RESOLVED by the TOWNSHIP COMMITTEE of the TOWNSHIP OF OCEAN, in the County of Ocean and State of New Jersey, as follows:

WHEREAS, Lord of Lords Bible Community Church has previously posted a performance guarantee with the Township of Ocean which consists of bond no. 71570104 dated July 29, 2014, issued by Western Surety Company in the amount of \$77,349.00, and a cash bond in the amount of \$8,594.40 for its church facility located along the easterly side of State Highway Route 9; and

WHEREAS, the project consists of the reconstruction of an existing building, construction of a stone parking lot and associated site improvements; and

WHEREAS, by letter dated June 8, 2015 the Township Engineer, James Oris, P.E. of T & M Associates advised the Township Committee that the Township Landscape Architect, Taylor Design Group, had conducted an inspection of the site improvements to ascertain the status of the completed improvements covered by said bond; and

WHEREAS, Taylor Design Group determined that all improvements have been completed and are in substantial conformance with the approved subdivision plans and Planning Board approvals; and

WHEREAS, in accordance with the New Jersey Municipal Land Use Law, the Township Committee must either approve, partially approve or reject the improvements on the basis of the report of the Township Engineer; and

WHEREAS, the Township Engineer has set forth in their correspondence of June 8, 2015 as recommended to the Township Committee that the release of the performance bond be granted; and

WHEREAS, the Township Committee wishes to accept the recommendation of its consulting engineer.

NOW, THEREFORE BE IT RESOLVED this 9th day of July, 2015 by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

1. The Township hereby authorizes the release of the performance guarantee including bond no. 71570104 in the amount of \$77,349.00 and the cash bond in the amount of \$8,594.40.

DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS

COUNSELLORS AT LAW

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

2. This release is conditioned upon the applicant posting a maintenance guarantee with the Township in the amount of \$12,891.51 which represents fifteen (15%) percent of the said performance guarantee.

3. Said maintenance guarantee shall run for a period of two (2) years.

4. In addition thereto the applicant developer shall reimburse the Township the costs of any outstanding construction inspection fees

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

1. David Breeden, Township Administrator;
2. Gregory P. McGuckin, Esquire, Township Attorney;
3. Diane Ambrosio, RMC Township Clerk;
4. Marlene Miller, Township Treasurer;
5. James Oris, P.E., Township Engineer; and
6. Pastor Dayle Tate.

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 July 2015, quorum being present and voting in the majority.

Michele Giardino, Deputy Clerk

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

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

Z:\CLIENT MATTERS - GL\Ocean Township\GL-22964 Resolutions 2015\2015 - Resolution re Lord of Lords.doc