

**RESOLUTION 2016 - 116**

**RESOLUTION AUTHORIZING THE RELEASE  
OF PERFORMANCE GUARANTEE FOR  
GREENBRIAR OCEANAIRE SECTION 7,  
PHASE C, SANITARY SEWER IMPROVEMENTS**

**WHEREAS**, Lennar Corporation is currently developing an age-restricted residential community within the Township of Ocean known as Greenbriar Oceanaire; and

**WHEREAS**, in accordance with the approvals previously received for this Project from the Municipality, the applicant has posted a Performance Guarantee with the Municipality for Section 7, Phase C, Sanitary Sewer Improvements, which includes portions of Bayville Way and Ship Bottom Lane, adjacent to Pancoast Road and golf course hole #4; and

**WHEREAS**, the Developer has posted the Performance Guarantee in the amount of \$34,323.72 to assure the complete installation of the sanitary sewer system improvements; and

**WHEREAS**, said the Performance Guarantee consists of Bond # K07933083 issued by Westchester Fire Insurance Company dated February 29, 2012 in the amount of \$30,891.35, and a Cash Bond in the amount of \$3,432.37; and

**WHEREAS**, by letter dated December 7, 2015 the Township's Engineer, James Oris, P.E. has advised the Township Committee that said improvements have been installed in substantial conformance with the approved Subdivision Plans and Planning Board approvals and the Engineer recommends release of said Performance Guarantee; and

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

**NOW, THEREFORE BE IT RESOLVED** this 14<sup>th</sup> day of January, 2016 by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

1. The Township hereby authorizes release of Performance Guarantees Bond # K07933083 issued by Westchester Fire Insurance Company dated February 29, 2012 in the amount of \$30,891.35 and a Cash Bond in the amount of \$3,432.37 conditioned upon the applicant posting a Maintenance Guarantee with the Township

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in the amount of \$5,148.56, which Maintenance Guarantee shall run for a period of two (2) years.

2. This Resolution is further contingent upon the applicant reimbursing the Township for the costs of any and all outstanding construction and inspection fees.

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

1. James Oris, P.E., Township Engineer;
2. Diane Ambrosio, Township Administrator;
3. Marlene Miller, Township Treasurer;
4. Gregory P. McGuckin, Esquire, Township Attorney
5. Jim Ritter, Greenbriar Oceanaire Community Association; and
6. Mike Doyle, 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 14<sup>th</sup> day of January, 2016, quorum being present and voting in the majority.

Diane B. Ambrosio, RMC, Township Clerk

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