

**RESOLUTION**

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Township of Ocean to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, the Township Council did authorize and enter into a Developer’s Agreement dated January 10, 2011 with Congregation Magen David of West Deal, Inc. for Site Plan Approval with Variances for property located on Block 25, Lot 33, 395 Deal Road to construct a 2,019 square foot addition to the rear of the synagogue for the purpose of increasing the seating in the midrash by 136 seats to a total of 240 seats. In addition, some minor grade changes were made to accommodate ADA accessibility; and

**WHEREAS**, Congregation Magen David of West Deal, Inc. posted performance guarantees totaling \$29,640.00 by way of Cash; and

**WHEREAS**, the Township Council granted a reduction of the performance guarantees to \$8,892.00 be resolution dated January 25, 2012; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by letter dated April 18, 2012, a copy of which is on file in the Office of the Township Clerk and made a part hereof, that the improvements have been substantially completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Gregory S. Blash and the performance guarantees in the amount of \$8,892.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of maintenance bond in the sum of \$3,705.00 said maintenance bond is to run for a period two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee
2. Payment of pending and future engineering
3. All required certificates of insurance be properly filed with the Office of the Township Clerk

**BE IT FURTHER RESOLVED** that a copy of this resolution, certified to be a true copy be forwarded to the following:

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Congregation Magen David of West Deal, Inc.

Record of Vote	Deputy Mayor Siciliano	Councilman Evans	Councilman Garofalo	Councilwoman Schepiga	Mayor Larkin
Motion To Approve					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					

**CERTIFICATION**

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **May 2, 2012.***

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 Vincent Buttiglieri, RMC/CMC/MMC  
 Township Clerk