

**RESOLUTION**

Councilmember offered the following resolution and moved its adoption;  
seconded by Councilmember

**WHEREAS**, the Board of Adjustment of the Township of Ocean granted preliminary and final site plan approval with bulk and conditional use variances to Elrac, Inc., t/a Enterprise Rent-A-Car for property described as Block 140.18, Lot 9, which property is located at 725 Highway 35 to install certain improvements; and

**WHEREAS**, the Township Council did authorize and enter into a Developer's Agreement dated April 27, 2005 with Elrac, Inc., t/a Enterprise Rent-A-Car for property described as Block 140.18, Lot 9, 725 Highway 35 to install certain improvements; and

**WHEREAS**, Elrac, Inc. t/a Enterprise Rent-A-Car has heretofore deposited with the Township of Ocean performance guarantees totaling \$92,583.48 in the form of cash; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer has advised the Township Manager by way of letter dated September 8, 2009, 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, P.E. and the performance guarantees in the amount of \$92,583.48 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$11,572.94, said maintenance bond to run for a period of two (2) years to cover the maintenance of all improvements constructed under the original performance guarantee, approved as to substance and form by the Township Attorney
2. Payment of pending and future engineering inspection and administrative fees in an amount to be determined by the Township Engineer to cover the estimated inspection fees
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. Elrac, Inc. t/a Enterprise Rent-A-Car
2. Director of Finance
3. Construction Official
4. Director of Community Development
5. Township Engineer

**ROLL CALL:** Garofalo, Hiers, Schepiga, Siciliano, Larkin

**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 **September 21, 2009**.*

Township Clerk

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Vincent Buttiglieri, RMC/CMC