

RESOLUTION

WHEREAS, the Developer is the owner of certain property known as Block 189, Lots 6 and 9, as shown on the official tax map of the Township of Ocean, which property is located at 1110 Highway 35 in the C-3 (General Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer has received Site Plan Approval with Variance and Waivers by the Township of Ocean Planning Board by way of Resolution dated December 14, 2009 to amend an existing approved site plan for the purpose of legitimizing an existing enclosure of an outdoor freezer, enclosing a bocce court and providing a trash area; and

WHEREAS, this Agreement relates to a Site Plan Map entitled Site Plan for Tax Lots 6 & 9, Tax Block 189, Township of Ocean, Monmouth County, New Jersey by Nelson Engineering Associates, Inc. consisting of two (2) sheets dated September 25, 2009 and last updated April 5, 2010; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated May 20, 2010 prepared by the Township of Ocean Engineer Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and the Italian American Association of the Township of Ocean, Inc., subject to the following conditions first being met:
 - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
 - b. Posting of Performance Guarantees in the total amount of \$15,240.00 and Inspection Fees in the amount of \$1,635.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. Peter S. Falvo, Jr., Esq.
5. Italian American Association of the Township of Ocean, Inc.

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	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 **July 7, 2010**.*

 Vincent Buttiglieri, RMC/CMC
 Township Clerk