

**RESOLUTION**

**WHEREAS**, the Township Council did authorize and enter into a Developer’s Agreement dated March 19, 2008 with Noah Kolarsick/Kolarsick Builders, Inc. for minor subdivision approval to subdivide the existing lot into two (2) new lots for property known as Block 115, Lot 4 located at 1404 Vina Avenue; and

**WHEREAS**, performance guarantees totaling \$21,120.00 were posted in the form of Cash; and

**WHEREAS**, the Township Council did authorize the release of performance guarantees on September 21, 2009; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete by the Township Engineer; and

**WHEREAS**, Noah Kolarsick/Kolarsick Builders, Inc. has heretofore deposited with the Township of Ocean a maintenance guarantee in the amount of \$2,640.00 for property known as Block 115, Lot 4 located at 1404 Vina Avenue; and

**WHEREAS**, Gregory S. Blash, P.E., representing the Township Engineer, has advised the Township Manager by letter dated December 12, 2011, a copy of which is on file in the Office of the Township Clerk and made apart hereof, that the improvements have been substantially maintained and said representative of the Township Engineer recommends the release of the aforementioned maintenance guarantee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean in the County of Monmouth, that the maintenance guarantee in the amount of \$2,640.00 is hereby released, canceled and discharged subject to the payment of any outstanding engineering and administrative fees.

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

1. Township Engineer
2. Director of Finance
3. Director of Community Development
4. Construction Official
5. Noah Kolarsick/Kolarsick Builders, 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 **January 25, 2012.***

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 Vincent Buttiglieri, RMC/CMC/MMC  
 Township Clerk