

RESOLUTION

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

WHEREAS, the Planning Board of the Township of Ocean granted minor subdivision approval to Noah Kolarsik for property described as Block 115, Lot 4 which property is located at 1404 Vina Avenue to subdivide the existing lot into two (2) new lots; and

WHEREAS, the Township Council did authorize and enter into a Developer's Agreement dated March 19, 2008 with Noah Kolarsik for property described as Block 115, Lot 4, 1404 Vina Avenue to subdivide the existing lot into two (2) new lots; and

WHEREAS, Noah Kolarsik has heretofore deposited with the Township of Ocean performance guarantees totaling \$21,120.00 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 \$21,120.00 are hereby released, canceled and discharged subject to the following:

1. Receipt of a maintenance bond in the sum of \$2,640.00, 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 \$250.00 to the Shade Tree Fund for one (1) shade tree not planted
3. 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
4. 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. Noah Kolarsik
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**.*

Vincent Buttiglieri, RMC/CMC
Township Clerk