

RESOLUTION

WHEREAS, Congregation Magen David of West Deal, Inc. received Site Plan Approval with Variances by the Township of Ocean Planning Board by way of Resolution dated November 24, 2008, for property located on Block 25, Lot 33, 395 Deal Road to construct a 2,019 square foot addition to the rear of a 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 will be made to accommodate ADA accessibility; 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 a 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 will be 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 Clerk is in receipt of a letter from Ken Himsel representing Congregation Magen David of West Deal, Inc. dated November 28, 2011, requesting a reduction of the performance guarantees; and

WHEREAS, the Township Clerk is in receipt of a letter from the Township Engineer's representative, Louis J. Lobosco, P.E., P.P., dated December 14, 2011 recommending the granting a performance guarantee reduction; and

WHEREAS, the Township Council is willing to reduce the amount of the performance bond to 30% of the original performance guarantee estimate amount.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey, that it does hereby authorize and approve a reduction of the performance guarantee to the sum of \$8,892.00, representing the 30% of the original performance guarantee pursuant to N.J.S.A. 40:44D-52.e.(1) expressly subject to the following conditions:

- (1) All required certificates of insurance be properly filed with the Office of the Township Clerk
- (2) Payment of any outstanding engineering inspection fees

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- 1. Township Engineer
- 2. Director of Finance
- 3. Director of Community Development
- 4. Construction Official
- 5. Congregation Magen David

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.***

Vincent Buttiglieri, RMC/CMC/MMC
Township Clerk