

RESOLUTION NO. 2024-220

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF A MAINTENANCE BOND POSTED FOR R&R HOLDINGS SITE ENTRANCE IMPROVEMENTS, BLOCK 277, LOT 11

WHEREAS, the Township of Little Egg Harbor had required the posting of a Maintenance Bond for R&R Holdings Site Entrance Improvements, LLC for a project at Block 277, Lot 11 on the Tax Map of the Township of Little Egg Harbor; and

WHEREAS, the developer requested the release of maintenance guarantee posted for R&R Holdings Site Entrance Improvements, LLC for a project at Block 277, Lot 11, consisting of bond #72370041 dated August 30, 2022 issued by Western Surety Company in the amount of \$1,166.40; and

WHEREAS, subsequent to review by the Township Engineer and Township Attorney, the governing body authorizes the release of the Maintenance Bond #72370041 dated August 30, 2022 issued by Western Surety Company in the amount of \$1,166.40 posted by R&R Holdings Site Entrance Improvements, LLC.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the release of a Maintenance Bond posted for R&R Holdings Site Entrance Improvements, LLC for a project at Block 277, Lot 11 on the Tax Map of the Township of Little Egg Harbor, bond #72370041 dated August 30, 2022 issued by Western Surety Company in the amount of \$1,166.40.

2. That the release of the aforementioned Maintenance Bond is also conditioned upon the payment of any outstanding fees due the municipality, including, but not

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limited to, engineering and attorneys' fees, as well as reimbursement for the costs of any outstanding construction inspection fees.

3. That a certified copy of this Resolution be forwarded to the Chief Financial Officer, the Township Engineer and R&R Holdings.

CERTIFICATION

I, **KELLY LETTERA, CMC, RMC**, Municipal Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 12th day of **September, 2024**.



KELLY LETTERA, CMC, RMC
Township Clerk
Little Egg Harbor Township

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TO: Kelly Lettera, Township Clerk
FROM: Jason A. Worth, P.E., Township Engineer
DATE: August 13, 2024

REF: T&M FILE NO. LEHT-I0391
REQUEST FOR RELEASE OF MAINTENANCE BOND
R&R HOLDINGS SITE ENTRANCE IMPROVEMENTS - BLOCK 277 LOT 11
TOWNSHIP OF LITTLE EGG HARBOR, OCEAN COUNTY, NJ

Dear Mrs. Lettera:

Our office has received a request from the developer for the Release of the Maintenance Bond for the above referenced project. The R&R Holdings site contains a commercial strip mall with separate Preschool in the rear, located on the north side of Route 9 approximately 500 feet west of Gifford Road and is within the Route 9 Scenic Gateway Overlay Zone (North) of the General Business (GB) Zone. The project included the reconfiguration of the existing parking lot entrance and the addition of four (4) parking spaces in the front of the site. A review of our files indicates that a Maintenance Bond in the amount of \$1,166.40 was posted with the Township Clerk's Office to assure the complete maintenance of the public improvements as set forth in the Bond Estimate prepared by T&M Associates.

The Maintenance Guarantee consists of a bond, #72370041, dated August 30, 2022, issued by Western Surety Company in the amount of \$1,166.40.

At the request of the developer, this office has conducted construction observation of site improvements to ascertain the status of the completed improvements covered by the bond. It is our determination that all bonded improvements have been maintained in substantial compliance with the Board approvals.

In accordance with the Municipal Land Use Law and the Township Ordinance, the governing body must either approve, partially approve or reject the improvements on the basis of the report of the Township Engineer. Accordingly, it is our recommendation to the Township Committee that the request for Release of the Maintenance Bond be granted.

The Mayor and Township Committee must act on the applicant's request for Release of the Maintenance Guarantee no later than 45 days after receipt of the notice and must notify the applicant of their decision in writing by certified mail. By copy of this letter to Melanie Szuba, Township Attorney, we recommend that she prepare a resolution suitable for adoption by the Mayor and Committee at its next regular meeting.

Should the Committee have any questions regarding any of the above, please feel free to contact me at your convenience.

cc: Township Committee
Rodney Haines, Township Administrator/CFO (via email)
Melanie Szuba, Esq., Township Attorney (via email)

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