

**RESOLUTION No.138-2016**  
**Authorize the Release of Maintenance Bond for**  
**Rozinante, Inc t/a Sand Beach Club**  
**Block 23, Lot 13 & Block 24, Lot 15.02**

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly:

**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; and

**WHEREAS**, on June 18, 2014, Rozinante, Inc. has heretofore deposited with the Borough of Sea Bright a maintenance bond (No. FP0021269) in the amount of 15% (\$9,148.50) of the cost of the improvements on premises known as Block 23, Lot 13 & Block 24, Lot 15.02 known as 825 Ocean Avenue for a two year period; and

**WHEREAS**, Francis W. Mullan, P.E., C.M.E., representing the Borough Engineer, has advised the Borough Clerk by letter dated August 31, 2016, a copy of which is on file in the Office of the Borough Clerk, that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition, therefore recommending the release of the aforementioned maintenance bond.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the maintenance bond in the amount of \$9,148.50 is hereby released, canceled and discharged and that any remaining engineering fees must be paid prior to release.

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

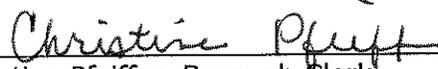
1. First Indemnity of America Insurance Company
2. Finance Manager
3. Fiscal Officer
4. Construction Official
5. Rozinante, Inc.

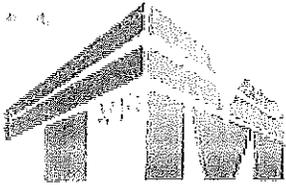
Roll Call:	Bills,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	absent	Yes	Yes	Yes	Yes	Yes

September 6, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on September 6, 2016.

  
\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk



YOUR GOALS. OUR MISSION.

SBRT-I0850

August 31, 2016

*Via Email and First Class Mail*

Karen DiBerardino  
Construction Department  
Borough of Sea Bright  
1167 Ocean Avenue  
Sea Bright, New Jersey 07760

**Re: Sands Beach Club  
Block 23, Lot 13, Block 24, Lot 15.02  
Maintenance Bond Release**

Dear Ms. DiBerardino:

As requested, this office has inspected the site improvement aspects of the above referenced property relative to the release of the Maintenance Bond. We find that all bonded improvements are satisfactory from an engineering standpoint; therefore, recommend the release of the Maintenance Bond. Our records indicate the bond specifics are as follows:

**PERFORMANCE BOND**

Cash (10 Percent Minimum)	\$6,099.00
Surety Bond in a Form Acceptable to the Borough (90 Percent Maximum)	\$54,891.00
Total Performance Guarantee	\$60,990.00

**MAINTENANCE BOND**

Cash (10 Percent Minimum)	\$6,099.00
	OR
Bond (15% OF Performance Bond)	\$9,148.50

If you have any questions or require additional information, please call.

Very truly yours,

FRANCIS W. MULLAN, P.E., C.M.E.  
SEA BRIGHT BOROUGH ENGINEER

FWM:JLS:dk

cc: Joe Verruni, Borough Administrator  
Deborah Smith, Deputy Clerk

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