

RESOLUTION NO. 96-2024
AUTHORIZE THE RELEASE OF PERFORMANCE GUARANTEE
WOODY'S OCEAN GRILLE, LLC
Block 22, Lot 1 and Block 23, Lot 1

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

WHEREAS, Woody's Ocean Grille, LLC has heretofore deposited with the Borough of Sea Bright a cash performance bond in the amount of \$11,298.00, a cash Safety and Stabilization Bond in the amount of \$5,000.00 and engineering inspection fees in the amount of \$1,260.75 to guarantee the completion of all improvements approved by the Planning Board on October 24, 2024 for premises known as Block 22, Lot 1 and Block 23, Lot 1; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers, has advised the Borough Clerk by letter dated April 30, 2024, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements constructed are acceptable and in accordance with the resolution and plans approved by the Planning Board. Mr. Hoder recommends the acceptance of same and the release of the aforementioned performance bonds subject to the posting of a two-year maintenance guarantee in the amount of 15% of the cost of the improvements (\$1,412.25) and any outstanding engineering and administrative fees; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum from David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers and the performance guarantee is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$1,412.25) of the cost of the improvements and payment of any outstanding engineering inspection and administrative fees; and

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

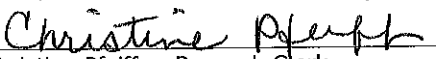
1. Woody's Ocean Grille, LLC
2. David J. Hoder, P.E. P.P., Consulting Engineers
3. Fiscal Officer
4. Construction Official
5. Planning Board Secretary

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein
Yes Yes Yes Yes Yes Yes

April 30, 2024

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 April 30, 2024.


Christine Pfeiffer, Borough Clerk