

RESOLUTION NO. 2021 – 85

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR METRO PCS NEW YORK LLC FOR VARIOUS PROJECTS

WHEREAS, the Township of Little Egg Harbor required the posting of a performance guarantees to ensure the performance of on-site improvements for various MetroPCS New York LLC projects; and

WHEREAS, the Township Engineer has inspected the site and has determined that all of the bonded improvements were completed in substantial compliance with the Board approvals previously granted, and the balances should be released according to the Township Attorney, conditioned on the payment of any outstanding fees due the municipality, including, but not limited to, engineering and attorneys' fees, as well as reimbursement for the costs of any outstanding construction inspection fees;; and

WHEREAS, the Township Engineer has recommended the release of the balance of the following performance bonds and related inspection accounts as follows:

1. Performance Bond #022032017 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$83.63 in the inspection account, for site improvements at 830 Railroad Drive, Block 170, Lot 2.01, site #NY5719, approved by the Township Board of Adjustment on January 13, 2010.
2. Performance Bond #022032018 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$471.43 in the inspection account, for site improvements at 1 Poorman's

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Rothstein, Mandell, Strohm,
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Parkway, Block 63, Lot 6, site #NY5720, approved by the Township Board of Adjustment on April 14, 2010.

3. Performance Bond #022032019 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$471.42 in the inspection account for site improvements at 505 Route 9 South, Block 277, Lot 4, Site #NY5721, approved by the Township Board of Adjustment on April 14, 2010 .
4. Performance Bond #022032049 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$408.52 in the inspection account for site improvements at 835 Radio Road, Zone G-B, Block 326.16, Lot 2, Site #NY57222, approved by the Township Board of Adjustment.

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 the balances of the following performance bonds and inspection accounts:
 - a. Performance Bond #022032017 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$83.63 in the inspection account, for site improvements at 830 Railroad Drive, Block 170, Lot 2.01, site #NY5719, approved by the Township Board of Adjustment on January 13, 2010.

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- b. Performance Bond #022032018 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$471.43 in the inspection account, for site improvements at 1 Poorman's Parkway, Block 63, Lot 6, site #NY5720, approved by the Township Board of Adjustment on April 14, 2010.
- c. Performance Bond #022032019 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$471.42 in the inspection account for site improvements at 505 Route 9 South, Block 277, Lot 4, Site #NY5721, approved by the Township Board of Adjustment on April 14, 2010 .
- d. Performance Bond #022032049 posted by MetroPCS New York, LLC, issued by Liberty Mutual Insurance Company, said balance in the amount of \$408.52 in the inspection account for site improvements at 835 Radio Road, Zone G-B, Block 326.16, Lot 2, Site #NY57222, approved by the Township Board of Adjustment.

- 2. Release of the above-referenced bonds and fees are conditioned on the payment of any outstanding fees due the municipality, including, but not limited to, engineering and attorneys' fees, as well as reimbursement for the costs of any outstanding construction inspection fees.

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2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, the Township Engineer and MetroPCS New York, LLC.

CERTIFICATION

I, **SUSAN M. FARRELL, RMC**, Deputy 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 **11th** day of **March, 2021**.



Susan M. Farrell, Deputy Township Clerk
Little Egg Harbor Township

rmshc

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