

RESOLUTION 2025 - 298

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF A MAINTENANCE GUARANTEE POSTED BY M&O EXCAVATING LLC FOR ROAD OPENING AT 29 WEST ANCHOR DRIVE

WHEREAS, the Township of Little Egg Harbor required the posting of a Maintenance Guarantee by M&O Excavating LLC, for a road opening within the right-of-way for 29 West Anchor Drive, performed to allow the installation of new water and sanitary sewer services to the property; and

WHEREAS, M&O Excavating LLC posted said Maintenance Guarantee, consisting of a cash bond in the amount of \$500.00, to assure the complete maintenance of pavement restoration as set forth in the Bond Estimate prepared by the Township Engineer; and

WHEREAS, the Township Engineer has determined that all bonded improvements have been maintained in substantial compliance with the Township's approvals; and

WHEREAS, the governing body authorizes the release of the maintenance guarantee posted as a cash bond in the amount of \$500.00.

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 Maintenance Guarantee posted by M&O Excavating LLC for a road opening within the right-of-way for 29 West

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Rothstein, Mandell, Strohm,
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Anchor Drive, performed to allow the installation of new water and sanitary sewer services to the property, in the amount of \$500.00, posted as a cash bond.

2. That the release of the aforementioned Maintenance Guarantee is also conditioned upon 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.
3. That a certified copy of this Resolution be forwarded to the Chief Financial Officer, Interim Township Administrator, Township Engineer and M&O Excavating LLC.

CERTIFICATION

I, **KELLY LETTERA, RMC, CMC**, 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 18th day of **December, 2025**.



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

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YOUR GOALS. OUR MISSION.

TO: Kelly Lettera, Interim Twp. Administrator/Clerk
FROM: Jason A. Worth, P.E., Township Engineer
DATE: December 5, 2025
REF: T&M FILE NO. LEHT-I2277
REQUEST FOR RELEASE OF MAINTENANCE GUARANTEE
ROAD OPENING - 29 WEST ANCHOR DRIVE
M&O EXCAVATING LLC
TOWNSHIP OF LITTLE EGG HARBOR, OCEAN COUNTY, NJ

Dear Ms. Lettera:

Our office has received a request from the applicant for Release of the Maintenance Guarantee for the road opening within the right-of-way for 29 West Anchor Drive. We note that the road opening was performed to allow for the installation of new water and sanitary sewer services to the property. A review of our files indicates that a Maintenance Guarantee was posted with the Township Clerk's Office to assure the complete maintenance of pavement restoration as set forth in the Bond Estimate prepared by T&M Associates.

The maintenance guarantee consists of a cash bond in the amount of \$500.00.

At the request of your office, T&M 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 Township's 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 Guarantee 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
Melanie Szuba, Township Attorney

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