

RESOLUTION 2026-171

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF ON SITE PERFORMANCE GUARANTEE POSTED BY G.B. LTD OPERATING COMPANY FOR DUNKIN DONUTS

WHEREAS, the Township of Little Egg Harbor required the posting of an On-Site Performance Guarantee by G.B. LTD Operating Company to assure the complete installation of on-site improvements not complete at the time of the issuance of a Temporary Certificate of Occupancy, for the Dunkin Donuts project site with drive-thru, located in Great Bay Plaza at the intersection of Mathistown Road and Center Street in the Township of Little Egg Harbor; and

WHEREAS, G.B. LTD Operating Company posted said On-Site Performance Guarantee, consisting of a cash bond in the amount of \$20,185.00, to assure the complete installation of on-site improvements not complete at the time of the issuance of a Temporary Certificate of Occupancy, for the Dunkin Donuts project site with drive-thru, located in Great Bay Plaza; and

WHEREAS, the Township Engineer has determined that all bonded improvements have been completed in substantial compliance with the Board approval; and

WHEREAS, the governing body authorizes the release of the On-Site Performance guarantee cash bond in the amount of \$20,185.00 to G.B. LTD Operating Company.

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:

r|m|s|h|c
Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW
98 East Water Street
Toms River, NJ 08753
o: 732.363.0777
f: 732.905.6555

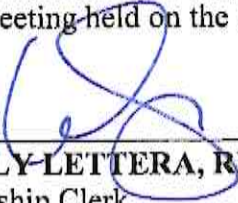
2. That the governing body does hereby authorize the release of the On-Site Performance Guarantee posted by G.B. LTD Operating Company consisting of a cash bond in the amount of \$20,185.00, posted to assure the complete installation of on-site improvements not complete at the time of the issuance of a Temporary Certificate of Occupancy, for the Dunkin Donuts project site with drive-thru, located in Great Bay Plaza.

3. That the release of the aforementioned On-Site Performance 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.

4. That a certified copy of this Resolution be forwarded to the Chief Financial Officer, Interim Township Administrator, Assistant Township Administrator, Township Engineer and G.B. LTD Operating Company

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 11th day of **June, 2026**.

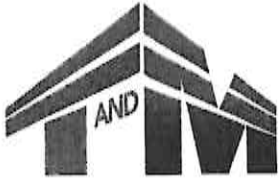


KELLY LETTERA, RMC, CMC
Township Clerk
Township of Little Egg Harbor

r|m|sh|c
Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
f: 732.905.6555



YOUR GOALS. OUR MISSION.

TO: Kelly Lettera, Township Clerk
FROM: Jason A. Worth, P.E., Township Engineer
DATE: May 20, 2026
REF: T&M FILE NO. LEHT-I2390
REQUEST FOR RELEASE OF PERFORMANCE GUARANTEE - ON-SITE
DUNKIN DONUTS - BLOCK 285 LOT 12
TOWNSHIP OF LITTLE EGG HARBOR, OCEAN COUNTY, NJ

Dear Ms. Lettera:

Our office has received a request from the developer for Release of the Performance Guarantee for the above-referenced project. The Dunkin Donuts (w/ Drive Thru) is located in the Great Bay Plaza at the intersection of Mathistown Road and Center Street. A review of our files indicates that G.B. LTD Operating Company posted a Performance Guarantee in the amount of \$20,185.00 with the Township Clerk's Office to assure the complete installation of on-site improvements not complete at the time of issuance of a TCO, as set forth in the Performance Guarantee Estimate prepared by T&M Associates.

The Performance Guarantee consists of a cash bond in the amount of \$20,185.00.

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 completed 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 Performance Bond be granted.**

The Mayor and Township Committee must act on the applicant's request for Release of the Performance Bond 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.

A maintenance bond shall not be required as all improvements covered by the bond were private, on-site improvements.

In addition, and prior to Release of any Performance Guarantee, the applicant/developer shall reimburse the Township for the costs of any outstanding construction inspection fees. The Township will be in receipt of all of our final invoices on this project with our next months billing.

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

Cc (via email): Township Committee
Melanie Szuba, Township Attorney

G:\Projects\LEHT\2390\Correspondence\KL_JAW_Rel of Perf Guar ON-SITE 5-20-26.doc