

RESOLUTION 2026-283

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AUTHORIZING THE RELEASE OF
PERFORMANCE GUARANTEE, POSTED BY DAVID
DEFEO – A PLUS INSULATION FOR RIGHT OF WAY
IMPROVEMENTS FOR BLOCK 124, LOT 2 ALSO
KNOWN AS 1399 ROUTE 539**

WHEREAS, the Township of Little Egg Harbor required the posting of a Performance Guarantee by David Defeo (A Plus Insulation) to assure the complete installation of bonded improvements located at Block 124, Lot 2, also known as 1399 Route 539, in the Township of Little Egg Harbor for a previously approved contractor's office and warehouse; and

WHEREAS, David Defeo (A Plus Insulation) posted said Performance Guarantee, consisting of a cash bond in the amount of \$14,700.00, to assure the complete installation of bonded right-of-way improvements located at Block 124, Lot 2 in the Township of Little Egg Harbor; and

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

WHEREAS, the governing body authorizes the release of the Performance Guarantee cash bond in the amount of \$14,700.00 to David Defeo (A Plus Insulation).

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 Performance Guarantee posted by David Defeo (A Plus Insulation) consisting of a cash bond in

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Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
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the amount of \$14,700.00, posted to assure the complete installation of bonded right-of-way improvements located at Block 124, Lot 2 in the Township of Little Egg Harbor.

2. That the release of the Performance Guarantee is conditioned upon the posting by David Defeo (A Plus Insulation) of a Maintenance Guarantee in the amount of \$2,205.00 , representing 15% of the Performance Guarantee. Said Maintenance Guarantee must run for period of two (2) years.

3. That the release of the aforementioned 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 David DeFeo (A Plus Insulation).

CERTIFICATION

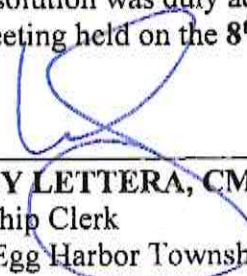
I, KELLY LETTERA, CMC, RMC, Municipal Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 8th day of October, 2026.

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



| YOUR GOALS. OUR MISSION.

TO: Kelly Lettera, Interim Township Administrator/Clerk
FROM: Jason A. Worth, P.E., Township Engineer
DATE: October 1, 2026
REF: T&M FILE NO. LEHT-I2330
REQUEST FOR RELEASE OF PERFORMANCE GUARANTEE - RIGHT-OF-WAY
DAVID DEFEO - A PLUS INSULATION
1399 ROUTE 539 - BLOCK 124 LOT 2
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 subject site is located on the east side of Route 539 and was approved by the Planning Board for contractor's office and warehouse. A review of our files indicates that A Plus Insulation posted a Performance Guarantee in the amount of \$14,700.00 with the Township Clerk's Office to assure the complete installation of bonded right-of-way improvements as set forth in the Performance Guarantee Estimate prepared by RVE.

The Performance Guarantee consists of a cash bond in the amount of \$14,700.00.

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.

The Release of the Performance Guarantee shall be conditioned upon the following:

1. The applicant posting a Maintenance Guarantee with the Township in the amount of \$2,205.00, representing 15% of the Performance Guarantee. Said Maintenance Guarantee shall run for a period of two (2) years.

The Maintenance Guarantee requirement is based upon the original bonding requirements of \$14,700.00.

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.



TO: Kelly Lettera, Township Clerk
FROM: Jason A. Worth, P.E., Township Engineer
DATE: T&M FILE NO. LEHT-12330
REQUEST FOR RELEASE OF PERFORMANCE GUARANTEE - RIGHT-OF-WAY
DAVID DEFEO - A PLUS INSULATION
1399 ROUTE 539 - BLOCK 124 LOT 2
TOWNSHIP OF LITTLE EGG HARBOR, OCEAN COUNTY, NJ

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

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