

August 9, 2011

RESOLUTION 2011 -

RELEASE OF PERFORMANCE GUARANTEE POSTED BY:
B & G FUEL/US GAS LLC, 117 MAIN STREET,
BLOCK 70, LOT 6
FILE NO. ZBA#411-1-27-5

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, a Performance Guarantee and Inspection escrow in the form of Cash was posted previously to guarantee all requirements for construction of above-stated project at said premises as required for approvals by the Zoning Board of Adjustment; and

WHEREAS, after a site inspection performed by Elissa Commins of Birdsall Engineering, Inc. determined that the applicant at that time had not completed and/or met all the conditions of approval as set forth in the Resolution of Site Plan approval to release the entire balance of the Master Escrow, and recommended a reduction in the cash performance guarantee, that was approved by resolution of Mayor and Council dated September 28, 2010; and

WHEREAS, after a site re-inspection performed by the Board Engineer, Elissa Commins, it was determined that **all** conditions of approval have now been met and all construction completed; and

WHEREAS, Elissa Commins, Board Engineer, has recommended the balance of the Performance Guarantee for the above-referenced project be released in the amount of \$ provided all fees for professional services have been satisfied.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach that the Chief Financial Officer of the Borough release the balance in the sum of \$ 6,104.51 from the Master Escrow.

Seconded by Councilman _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

CERTIFICATION

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the August 9, 2011 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk