

RESOLUTION NO. 128-2015

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON
AUTHORIZING DISBURSEMENT OF MAINTENANCE GUARANTEE FUNDS IN THE SUM
OF \$10,695.00 ISSUED BY PULTE HOME OF NJ, LP
FOR THE CHERRY LAWN DEVELOPMENT**

WHEREAS, Pulte Home of NJ, LP (hereinafter "Pulte Homes") received final major subdivision approval for the Cherry Lawn development, Phases III and IV via Resolution Nos. 47-2001 and 22-2003, respectively; and

WHEREAS, as a condition of final major subdivision approval, Pulte Homes was required to post a Maintenance Surety Guarantee for landscape improvements relating to Phases III and IV of the development; and

WHEREAS, Pulte Homes posted a Maintenance Guarantee in the sum of \$10,695.00 for the Phase III and IV landscape improvements; and

WHEREAS, the Township Engineer inspected the landscape improvements covered by the Maintenance Guarantee and determined that numerous items covered by the aforesaid Guarantee were dead and/or defective, and required repair or replacement; and

WHEREAS, in lieu of repairing and/or replacing the dead and/or defective landscape items, Pulte Homes paid and released to the Township of Harrison the Maintenance Guarantee in the sum of \$10,695.00; and

WHEREAS, The Mullica Station at Cherry Lawn Board of Trustees (Home Owners Association) has requested that the Township Committee release the Maintenance Guarantee in the sum of \$10,695.00 directly to the HOA. See correspondence dated April 16, 2015 from The Mullica Station at Cherry Lawn Board of Trustees attached hereto so the Board can make their own arrangements to repair/replace the dead and/or defective landscape items in Phases III and IV of the development; and

WHEREAS, it is in the best interest of the residents of the Mullica Station at Cherry Lawn development to permit their HOA Board of Trustees to complete the landscape improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, Township of Harrison, County of Gloucester, and State of New Jersey as follows:

1. The request by The Mullica Station at Cherry Lawn Board of Trustees to receive the Maintenance Guarantee in the sum of \$10,695.00 to complete the landscape improvements in Phases III and IV is hereby approved.

2. The Township's Chief Financial Officer is hereby authorized and directed to issue the Maintenance Guarantee proceeds in the sum of \$10,695.00 directly to The Mullica Station at Cherry Lawn Board of Trustees.

3. As a condition of the issuance Maintenance Guarantee funds, The Mullica Station at Cherry Lawn Board of Trustees shall execute a Release for and on behalf of the Township of Harrison regarding the matters set forth in this Resolution.

ADOPTED at a regular meeting of the Mayor and Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on April 20, 2015.

TOWNSHIP OF HARRISON

LOUIS F. MANZO, Mayor

ATTEST:

DIANE L. MALLOY
Municipal Clerk

| ROLL CALL VOTE | | | | |
|-------------------------|-------------|-------------|----------------|---------------|
| COMMITTEE MEMBER | AYES | NAYS | ABSTAIN | ABSENT |
| Manzo | | | | |
| Clowney | | | | |
| Diggons | | | | |
| Heim | | | | |
| Shearer | | | | |

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey, at a special meeting held by the same on April 20, 2015 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.

DIANE L. MALLOY
Municipal Clerk