

Mayor O'Neil offered the following Resolution and moved on its adoption:

**R-06-121**  
**RESOLUTION**  
**AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES**  
**FOR LALE LAPITZKI FOR PROPERTY LOCATED**  
**AT 226 NAVESINK AVENUE ALSO KNOWN AS**  
**BLOCK 120 LOT 6.01**

**WHEREAS**, the applicant has requested the release of her Performance Guarantees in the amount of \$9,525.60 (90% Performance Bond Amount posted with a Bond) and \$1,058.40 (10% Cash Portion paid by check) for Block 120 Lot 6.01; and

**WHEREAS**, this request was forwarded to the Borough Engineer and an inspection was performed by T & M Associates and they have authorized the release of said Performance Guarantees subject to the following conditions:

1. A maintenance guarantee be posted in the amount of \$1,587.60 for a two year period with an effective date of June 1, 2005.
2. Payment of any outstanding inspection or other fees owed to the Borough; and

**WHEREAS**, the applicant has submitted a written request for a waiver of the requirement of posting a maintenance bond since the amount of time that has passed from the completion of said project; and

**WHEREAS**, the Don Norbut, P.E. of the Borough Engineers has verbally stated that he has no objection to waiving the requirement of posting a maintenance bond.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Highland that the Borough Clerk is hereby authorized to release send Performance Bond in the amount of \$9,525.60 (90% Bond Amount) and the Chief Financial Officer is hereby directed to refund the \$1,058.40 (10% Cash Portion) plus any accrued interest **less any outstanding fees**.

Seconded by Mr. Caizza and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**DATE:** July 19, 2006

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**NINA LIGHT FLANNERY, Borough Clerk**

I hereby certify this to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Highlands on July 19, 2006.

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**BOROUGH CLERK/DEPUTY CLERK**