

Mr. Nolan offered the following Resolution and moved on its adoption:

**R-10-226**  
**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES**  
**FOR KLECHA CONSTRUCTION, LLC**  
**FOR BLOCK 19 LOTS 24 & 25**

**WHEREAS,** Klecha Construction, LLC posted a Performance Bond No. S20102 from First Indemnity of America back in July 2007 in the amount of \$27,440.64 and a 10% cash portion of a Performance Guarantee in the amount of \$3,048.96 and inspection fees as required to make improvements for Block 19 Lots 14 & 25; a

**WHEREAS,** Klecha Construction, LLC has submitted a request to the Borough of Highlands requesting the release of all maintenance guarantees for said project.

**WHEREAS,** T & M Associates, Borough Engineers Office has authorized the release of all performance guarantees for said project; and

**WHEREAS,** T & M Associates has also waived the requirement the posting of a two year maintenance bond being that the bond was never released and the two year maintenance period has expired.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the Borough Clerk is hereby directed to release the performance bond #S20102 for Klecha Construction, LLC in the amount of \$27,440.64 and the Chief Financial Officer is hereby authorized to refund the \$3,048.96 (10% Cash Portion) and the unused inspection fees plus any accrued interest.

Seconded by Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Nolan, Mr. O'Neil, Mr. Francy, Ms. Kane, Mayor Little

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**DATE:** December 1, 2010

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**CAROLYN CUMMINS, BOROUGH CLERK**

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on December 1, 2010.

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**BOROUGH CLERK/DEPUTY CLERK**