

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 08-74**

**A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR  
MIDSTATE SOLAR DISTRIBUTORS, BRIDGE AVENUE AND WEST BERGEN PLACE,  
BLOCK 75.01, LOT 77.02**

Ms. Lee offered the following resolution and moved its adoption:

**WHEREAS**, by Resolution 92-22, the Borough of Red Bank accepted a Performance Guarantee of \$32,284.00, in the form of a bond described below, from Mid-State Solar Distributors, for a development project located at Bridge Avenue and West Bergen Place, Block 75.01, Lots Lot 77.02 which development was authorized by Zoning Board of Adjustment Resolution, adopted on August 3, 1989; and

**WHEREAS**, the Borough Engineer has no objection to the release of this Performance Guarantee in a report dated, January 24, 2008;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank as follows:

- a. The Borough hereby releases the previously posted cash Performance Bond No. 625964, issued by First Indemnity of America Insurance Company in the amount of \$32,284.00.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and the Director of Planning and Zoning are authorized and requested to take appropriate steps to implement this resolution; and

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward certified true copies of this resolution to the Borough Engineer, the Director of Planning and Zoning, the Chief Financial Officer, the Assistant Borough Attorney and to Harry A. Dinger, Jr., Senior Vice President, HRH Metro Northeast, LLC, 14 Commerce Dr., Cranford, N.J. 07016.

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

	Yes	No	Abstain	Absent
Mr. Curley	( )	( )	( )	(x)
Mr. Murphy	(x)	( )	( )	( )
Ms. Lee	(x)	( )	( )	( )
Mr. DuPont	(x)	( )	( )	( )
Ms. Cangemi	(x)	( )	( )	( )
Ms. Horgan	(x)	( )	( )	( )

Dated: March 24, 2008