

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 12-77

**RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE
AND INSPECTION ESCROW REGARDING GOOD FORK RESTAURANT GROUP, LLC
(dba Char Steakhouse), 27-33 BROAD STREET, BLOCK 29, LOTS 1 & 2.**

Mr. Murphy offered the following resolution and moved its adoption:

WHEREAS, the Planning Board of the Borough of Red Bank approved Application No. P995 submitted by Good Fork Restaurant, LLC (the "Developer"), for minor site plan approval with variances with respect to the property located at 27-33 Broad Street, Block 29, Lots 1 & 2 on the tax map of the Borough of Red Bank (the "Development Project"); and

WHEREAS, the aforesaid Planning Board Resolution required the Developer to comply with the Planning and Development Regulations of the Borough Red Bank, with respect to the Developer's posting of performance guarantees and escrow payments to pay for inspections by the Borough Engineer; and

WHEREAS, by letter dated March 14, 2012, the Borough Engineer provided an estimate of the necessary performance guarantees and other fees required in connection with the Development Project in accordance with §25-7.1 of the Borough of Red Bank's Planning and Development Regulations; and

WHEREAS, the Developer has posted the following performance guarantee and other required fees as recommended by the Borough Engineer in connection with the Development Project:

- a. One Hundred Percent (100%) of the performance guarantee in the form of cash in the amount of \$1,390.00.00; and
- b. An inspection fee in the amount of \$350.00; and

WHEREAS, the Director of the Borough's Planning and Zoning Department has requested authorization to accept the aforementioned performance guarantee, and the inspection escrow fee on behalf of the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that it does hereby authorize and direct the Director of the Borough's Planning and Zoning Department to accept the aforementioned funds posted by the Developer as the performance guarantee and inspection escrow, respectively, for the Developer's project;

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Director of Planning and Zoning, the Developer and to the Borough Engineer.

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

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: April 11, 2012