

RESOLUTION

**ACCEPTING THE PUBLIC IMPROVEMENTS, INCLUDING THE RIGHTS OF WAY AT
COLONIAL WOODS NORTH AND EXTENSION OF NANCE ROAD AND
PUBLIC EASEMENTS SHOWN ON THE FILED MAP ENTITLED
“FINAL PLAT-BLOCK 173, LOT 2AND BLOCK 172.29, LOT 40.02, COLONIAL WOODS
NORTH, TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY”**

WHEREAS, RCN Developers, LLC, (“Developer”) entered into a Developer’s Agreement with the Township of West Orange (“Township”) by Resolution No. 18-09 dated January 20, 2009; and

WHEREAS, a cash bond in the amount of \$178,620.00 were submitted to the Township by the Developer to guarantee completion of site improvements to be performed in accordance with the preliminary and final major subdivision approval from the Planning Board of the Township and said approval was memorialized by resolution adopted by the Board on August 7, 2003; and

WHEREAS, the Township Engineer has determined that the public improvements associated with this project have been completed and found to be satisfactory; and

WHEREAS, the Assistant Township Engineer, per correspondence dated December 6, 2023, has recommended a Maintenance Bond in the amount of \$117,964.44, and for the time period of two (2) years from the date of acceptance of the improvements by the Township; and

WHEREAS, the Assistant Township Engineer, per correspondence dated December 6, 2023, has recommended that a payment to the Township be submitted in the amount of \$23,275.00 for the Township to plant the 49 trees that were not planted as part of the Developer’s Agreement; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, in the County of Essex and State of New Jersey, as follows:

1. All the public improvements within the rights of way of Colonial Woods North and extension of Nance Road and public easements shown on the filed map entitled “**FINAL PLAT-BLOCK 173, LOT 2AND BLOCK 172.29, LOT 40.02, COLONIAL WOODS NORTH, TOWNSHIP OF WEST ORANGE, ESSEXCOUNTY, NEW JERSEY**” and filed in the

office of the Clerk of Essex County on July 30, 2007 as Filed Map No. 4518 are hereby accepted by the Township of West Orange.

2. Maintenance Bond in the amount of \$117,964.44 and Tree Payment in the amount of \$23,275.00 shall be deducted from the cash bond currently held by the Township in the amount of \$178, 620.00.
3. Therefore, the remaining balance of \$37,380.56 is hereby released to RCN Developers, Inc.

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to transmit certified copies of this resolution to the following individuals and entities RCN Developers, LLC, Township Engineer, Chief Financial Officer, and Township Attorney.

Karen J. Carnevale, R.M.C., Municipal Clerk

Bill Rutherford, Council President

Adopted: January 9, 2024

I hereby certify funds are available from Account: _____

\$37,380.56

John Gross, Chief Financial Officer