

**RESOLUTION OF COMMISSIONERS OF FIRE DISTRICT NO. 2 IN
THE TOWNSHIP OF BUENA VISTA, COUNTY OF ATLANTIC,
A BODY CORPORATE ORGANIZED IN ACCORDANCE WITH
N.J.S.A. 40A:14-70 AUTHORIZING ACTION TO PROVIDE
TWO-YEAR MAINTENANCE GUARANTY TO
COUNTY OF ATLANTIC IN CONJUNCTION WITH NEW
FIRE STATION PROJECT**

WHEREAS, the Commissioners of Fire District No. 2 in the Township of Buena Vista, County of Atlantic (hereinafter the "Commissioners") posted a Performance Guaranty with the County of Atlantic (hereinafter "County") in the sum of \$40,195.93 for the New Fire Station Facility developed on property located at 4831 Landis Avenue, Buena Vista Township, Atlantic County, New Jersey, officially designated as Lot 14 in Block 7701 on the Tax Map of the Township of Buena Vista (hereinafter "Fire Station") by presenting an official Bank Check, issued by Susquehanna Bank, Check No. 110473753 on November 4, 2011, payable to the Treasurer of the County of Atlantic (hereinafter "Treasurer"); and

WHEREAS, the County, on August 1, 2012, inspected the Fire Station and all improvements associated with construction of the Fire Station and, from that inspection, determined and found all site improvements, including those for which the Performance Guaranty was required, to be acceptable and to otherwise be satisfactory; and

WHEREAS, by virtue of the outcome of that inspection, and in accordance with the Ordinances, Rules, Regulations and Policies of the County, the Commissioners became eligible for a cancellation of the Performance Guaranty, upon presentation of a Maintenance Guaranty, for a term of two years commencing on August 1, 2012 and ending on August 1, 2014, for 50% of the amount of the Performance Guaranty; and

WHEREAS, the Commissioners wish to realize and achieve a cancellation of the Performance Guaranty posted with the County in the sum of \$40,195.93 and also wish to comply with the requirement(s) of the County in respect to providing a Maintenance Guaranty in the amount of \$20,097.97, 50% of the sum of the original Performance Guaranty; and

WHEREAS, formal action is required to be taken by the Commissioners to achieve cancellation by the County of the Performance Guaranty and to provide the required two year Maintenance Guaranty to the County, and this Resolution is adopted for those purposes; and

WHEREAS, representatives of the County have advised the Commissioners that the Official Bank Check issued by Susquehanna Bank for the Performance Guaranty has not been cashed or otherwise presented for payment, and that the Instrument will be returned to the Fire Commissioners upon delivery of an acceptable form of Performance Guaranty by the Commissioners in the amount of \$20,097.97.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners as follows:

1. Commissioner David Ricci, as Treasurer of the Board of Fire Commissioners, is hereby authorized to take all reasonable and necessary action to achieve cancellation, by the County, of the \$40,195.93 Performance Guaranty and to provide to the County a \$20,097.97 Maintenance Guaranty, payable to the Treasurer of the County of Atlantic, for a two year period beginning on August 1, 2012 and ending on August 1, 2014.

2. The Maintenance Guaranty shall be provided to the County by way of an Official Bank Check in the amount of \$20,097.97, to be issued by Susquehanna Bank, and Treasurer David Ricci is hereby specifically authorized to take all reasonable and necessary steps on behalf of the Commissioners to enter into a transaction, or a series of transactions, with Susquehanna Bank for the Bank's issuance of the Official Bank Check to the Treasurer of the County of Atlantic.

3. To avoid duplication of funds, Susquehanna Bank is hereby requested, to the extent allowed by law, to stop payment on its Official Bank Check, No. 110473753 issued to the Treasurer of the County of Atlantic in the sum of \$40,195.93 on November 4, 2011, once another Official Bank Check is issued, made payable to the said Treasurer of the County, in the amount of \$20,097.97, for the required Maintenance Guaranty.

4. If the law does not permit Susquehanna Bank to enter a Stop Payment Order on the Official Bank Check No. 110473753, as requested by the Commissioners, Susquehanna Bank alternatively is hereby asked to refuse payment on that instrument, as an accommodation to the Commissioners.

5. Treasurer David Ricci is hereby directed to present a certified copy of this Resolution to Susquehanna Bank and to concurrently request the Bank to take action, as may be necessary, in accordance with the objectives and purposes expressed herein.

BOARD OF FIRE COMMISSIONERS OF FIRE
DISTRICT NO. 2 IN THE TOWNSHIP OF
BUENA VISTA, COUNTY OF ATLANTIC, A
BODY CORPORATE ORGANIZED IN
ACCORDANCE WITH N.J.S.A. 40A:14-70

BY: Karl E. Molinelli
KARL MOLINELLI, Presiding Commissioner

CERTIFICATION

I, WAYNE CORSIGLIA, Secretary of the Board of Fire Commissioners of Fire District No. 2 in the Township of Buena Vista, do hereby certify that the foregoing Resolution is a true copy of the Resolution adopted by the Board of Fire Commissioners of Fire District No. 2 in the Township of Buena Vista, County of Atlantic, at a duly noticed meeting conducted on July 16, 2013 on the premises of the East Vineland Fire House, located at 4831 Landis Avenue, Buena Vista Township, Atlantic County, New Jersey, in accordance with a vote on the Commissioners recorded as follows:

<u>Name of Commissioner</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Karl Molinelli	x			
Wayne Corsiglia	x			
Robert Pagliughi, Jr.				x
Lonnie Ricci	x			
David Ricci	x			

July 16, 2013

Wayne Corsiglia
WAYNE CORSIGLIA, Secretary
Board of Commissioners of Fire District
No. 2 in the Township of Buena Vista,
County of Atlantic, a Body Corporate
Organized in Accordance with N.J.S.A.
40A:14-70