

RESOLUTION 49-19

**RESOLUTION DENYING RELEASE OF PERFORMANCE
BOND FOR HOVBROS CLAYTON LLC, ABERDEEN – ESTATES
– SECTIONS 2.3, 2.4 AND 2.5 FOR SITE, WATER AND SEWER
IMPROVEMENTS DUE TO OUTSTANDING PUNCH LIST ITEMS**

WHEREAS, the applicant, Hovbros Clayton, LLC, Aberdeen Estates, has posted, pursuant to the requirements of the Clayton Development Regulation and Zoning Ordinance, Performance Guarantees, guaranteeing the improvements in conjunction with said project; and

WHEREAS, the said applicant has completed said improvements and has applied for a release of said performance guarantees; and

WHEREAS, the Borough Engineer has made an inspection and rendered a report, a copy of which is attached hereto, and made a part hereof, certifying that the improvements have not been completed; and

WHEREAS, the Borough Engineer has also recommended that the performance bond not be released; and

WHEREAS, prior to release of said performance bond, all outstanding punch list items and all outstanding engineering, escrow and legal fees, if any, shall be paid in full.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Clayton, in the County of Gloucester and State of New Jersey, that the release of the aforementioned performance bond for Hovbros Clayton, LLC, Aberdeen Estates, be and hereby is denied as per the Engineers letter.

ADOPTED, at a meeting of the Mayor and Council of the Borough of Clayton, in the County of Gloucester, held January 24, 2019

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

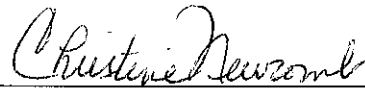
Attest:



CHRISTINE NEWCOMB
Municipal Clerk

CERTIFICATION

I, Christine Newcomb, Municipal Clerk of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at a regular meeting of the Borough of Clayton Council, held on January 24, 2019.



CHRISTINE NEWCOMB
Municipal Clerk

SICKELS & ASSOCIATES, INC.

Engineers • Planners • Surveyors

January 23, 2019

Borough of Clayton
125 North Delsea Drive
Clayton, New Jersey 08312

Attention: Mayor and Council Members

Reference: Performance Bond Status Release
Aberdeen – Villages – Sections 2.3, 2.4 & 2.5
Site, Water & Sewer Improvements
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton, LLC
Bond Nos: 2.3 (site) 5019042 / 2.3 (water & sewer) 5019043
2.4 (site) 5019040 / 2.4 (water & sewer) 5019041
2.5 (site) 5019045 / 2.5 (water & sewer) 5019044
S&A File No. CB-516-1b

Dear Mayor and Council Members:

We are in receipt of the Applicants letter, dated December 21, 2018 concerning the release of the performance bonds for the site, water & sewer improvements for above mentioned project. This office has completed our construction observation for the purpose of determining if the performance bonds can be released for the above referenced residential development.

Based on the findings of our observations, we have enclosed a list of items that need to be completed in order to comply with the approved construction drawings. (See attached construction punch list status no. 1). Items listed are reflected within the approved performance bond. We do not recommend the bonds be released at this time due to the outstanding punch list items. We request the Developer contact this office with regards to the schedule they intend to implement in completing the necessary work or in the event that they have any questions concerning the construction punch list items.

In accordance with M.L.U.L. Section 40:55D53.e.1, Council needs to adopt a resolution indicating the bond cannot be released due to the outstanding items.

It should be noted that upon completion of the construction punch list and prior to the release of the performance bond, all outstanding engineering fees must be paid in full and a maintenance bond should be forwarded to this office and the Borough Solicitor for review and approval.

If you have any questions or require additional information, please contact this office at (856) 848-6800.

Very truly yours,

SICKELS & ASSOCIATES, INC.



Mark R. Brunermer, P.E., C.M.E.
Clayton Borough Engineer

MRB:oap
Enclosure (construction punch list status no. 1)

Copy To: Sue Miller, Borough Administrator, w/ enclosure (via e-mail only)
Christine Newcomb, Borough Clerk (via e-mail only)
Donna Nestore, Municipal Financial Officer, w/ enclosure (via e-mail only)
Joe Hunt, Director of Public Works, w/ enclosure (via e-mail only)
Debbie Schlosser, Clayton Combined Zoning/Planning Board Secretary, w/ enclosure (via e-mail only)
Timothy Scaffidi, Borough Solicitor, w/ enclosure (via e-mail only)
Scott V. Bordick, Hovbros Clayton, LLC, Site Development Manager, w/ enclosure (via e-mail only)
Colin Marshal, Hovbros Clayton, LLC, w/ enclosure (via e-mail only)
David Roché, Sickels & Associates, Inc., w/ enclosure (via e-mail only)

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Sherwood Mews • 833 Kings Highway
Woodbury, New Jersey 08096-3110
(856) 848-6800 FAX (856) 848-8520
www.sickelsassoc.com

January 11, 2019

CONSTRUCTION PUNCHLIST – STATUS NO. 1

Aberdeen (Villages) – 55+ Housing
Borough of Clayton, Gloucester County, New Jersey
S&A File No. CB-516-1b
Punch List compiled by Marc C. Knott & Phil F. Morgan

1. Landscaping – will need to be monitored during maintenance period.
2. Repair roadway that goes between 55 & older and single family.
3. 4 East Dehart Ave. – soil restoration around sewer c.o.
4. 6 East Dehart Ave. – adjust c.o. to grade - lower.
5. 7 East Dehart Ave. – adjust water service to grade (lower).
6. Double “E” Inlet behind 31 East Dehart Ave. – stains at bottom of inlet? Remove debris from bottom and repair/mortar casting as needed (photos taken).
7. Double “E” Inlet behind 40 East Dehart Ave. – mortar casting – Note: filled with water.
8. 72 West Orchard Ave. – adjust sanitary service to grade (lower).
9. Open space behind 80 West Dehart – correct pondage – (see photos).
10. Double “E” inlet behind 82 West Dehart – full of water up to casting – unable to inspect.
11. Basin between 81 & 84 West Dehart – complete soil restoration at basin – left side of 84 West Dehart Ave.
12. Complete lighting installation at the end of West Dehart Ave.
13. Complete bench installation at the end of West Dehart Ave.
14. Storm MH #C-2 – filled w/water – mortar casting.
15. Sanitary MH 7.2 – mortar casting.
16. Sanitary MH 7.4 – mortar casting.
17. 75 West Dehart – adjust water service to grade (lower).
18. F.H. 54 West Dehart Ave. – reconnect chains.
19. F.H. Owens Lane – reconnect chains.
20. 35 West Dehart Ave. – adjust sewer c.o. to grade (lower).
21. 22 West Dehart Ave. – adjust sewer c.o. to grade (lower).
22. 1 & 3 West Dehart Ave. – drainage along curb (ponding water) and apron reveal.
23. 6 West Dehart Ave. – adjust sewer c.o. to grade (lower).
24. Remove asphalt from all manhole lids – photo taken of M.H. by 9 Groff St.
25. Storm Inlet to right of driveway at 41 June Ann Drive – Remove/Repair Inlet back plate – debris hanging (see photos).
26. Entire Section has a mix of 2 storm sewer inlet head pieces – 2” opening only, 2” opening w/4 small slots above.
27. Fill all joints in front curb island at entrance.
28. Sawcut and fill three cracks in front curb island at entrance.
29. Fill all curb joints throughout the site.
30. Fill all expansion joints in concrete sidewalk throughout site – including joints within driveway aprons.
31. Sawcut and fill crack in new DC at house #21 West Dehart Ave.
32. Repair trench in access road right of house #43 West Dehart Ave.
33. R&R unsightly bulky patch repair at house #49 W. Dehart Ave. (left of mailbox).
34. Patch hole in curb at house #51 (right property line).
35. Reset and secure in place water blow-off protection box behind curb adjacent to basin on West Dehart Ave.

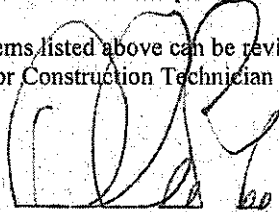
January 11, 2019

Construction Punch List – Status No. 1

Aberdeen (Villages) – 55+ Housing
Borough of Clayton, Gloucester County, New Jersey
S&A File No. CB-516-1b
Punch List compiled by Marc C. Knott & Phil F. Morgan

36. Stabilize grass stripe behind "B" inlet right of above blow-off protection box and lawn area left of house #84.
37. Notch "S" & "W" in curb line at all water services and sewer laterals.
38. Straighten street signs at Owens Lane and West Dehart Ave.
39. Seal all matchline joints in surface course paving through site.
40. Adjust grade in common area on Owens Lane behind house #66 June Ann Drive. (Regrade & stabilize).
41. Remove asphalt from water valve box lids at Groff Street and Owens Lane.
42. Correct standing water issue at Groff Street and Owens Lane at "B" inlet. (Water stands on Owens Lane).
43. Repair damage DC sections at house #8 Owens Lane.
44. Raise water valve box in intersection of June Ann Drive and East Dehart Ave.
45. Complete Temporary Certificate of Occupancy conversions. Several lots have drainage issues in between properties and re-grading will be required.
46. Asbuilts for each open space will be required. Our office will provide a review and determine the course of action required to address any drainage concern.

The items listed above can be reviewed with David D. Roche', Construction Manager or Olivier A. Peña, Senior Construction Technician of our office at 856.848.6800.



Olivier A. Peña, Senior Construction Technician

Date

1.13.19

OAP:kc

Copy To: Sue Miller, Borough Administrator (via e-mail only)
Christine Newcomb, Borough Clerk (via e-mail only)
Donna Nestore, Municipal Financial Officer (via e-mail only)
Joe Hunt, Clayton Water Department (via e-mail only)
Debbie Schlosser, Clayton Combined Zoning/Planning Board Secretary (via e-mail only)
John M. Eckler, Construction Code Official (via e-mail only)
Timothy Scaffidi, Borough Solicitor (via e-mail only)
Scott Bordick, J.S. Hovnanian and Sons (via e-mail only)
Colin Marshall, J.S. Hovnanian and Sons (via e-mail only)
Mark R. Brunermer, Sickels & Associates, Inc. (via e-mail only)
David Roché, Sickels & Associates, Inc. (via e-mail only)

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