

RESOLUTION 163-20

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE
BONDS FOR THE VILLAGES AT ABERDEEN (SECTIONS 2.5) WATER
AND SEWER IMPROVEMENTS AND WAIVING THE POSTING OF A
MAINTENANCE BOND**

WHEREAS, the applicant, Hovbros Clayton, LLC, has posted, pursuant to the requirements of the Clayton Development Regulation and Zoning Ordinance, Performance Guarantees, guaranteeing the water & sewer 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, dated September 2, 2020, a copy of which is attached hereto, and made a part hereof, certifying that the water & sewer improvements have been completed; and

WHEREAS, the Borough Engineer has also recommended that the maintenance bond requirement be waived; and

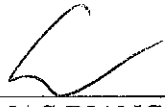
WHEREAS, prior to release of said performance bond, all outstanding engineering, escrow and legal fees, if any, shall be paid in full.

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 aforementioned performance guarantees for Hovbros Clayton, LLC, be and hereby is released.

BE IT FURTHER RESOLVED that any and all outstanding engineering, escrow and/or legal fees, if any, shall be paid in full.

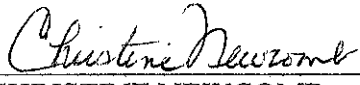
ADOPTED, at a meeting of the Mayor and Council of the Borough of Clayton, in the County of Gloucester, held September 10, 2020.

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 September 10, 2020.



CHRISTINE NEWCOMB
Municipal Clerk

September 2, 2020

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

Attention: Mayor and Council Members

**Reference: Performance Bond Release – Water & Sewer Improvements
The Villages at Aberdeen (Section 2.5)
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton Urban Renewal, L.L.C. – New Jersey
Bond No. 5019044
S&A File No. CB-516-1**

Dear Mayor and Council Members:

Pursuant to the request made by Applicant, via letter dated August 5th, 2020, we have completed our review of the above referenced site to determine if the reduced performance bond amount can be released for the above referenced residential development.

As such, this office has completed our construction observation of the water & sewer improvements for the purpose of determining if the performance bond (reduced amount) can be released in the amount of \$118,462.32. Based on the findings of our site observation, we are informing the Borough that the work under this project has been completed, corrected and/or repaired in accordance with the requirements of the Borough of Clayton. As such, we are acceptable to Council releasing of the performance bond.

Since the water & sewer improvements have been installed, tested, verified and in service for a period of over approximately 12 years, we are acceptable to the maintenance bond being waived for the water & sewer in this section. The water & sewer performance bond can be released along with the site performance bond for this section. We request that this matter be placed on the agenda for the next available Mayor and Council meeting.

If you have any questions regarding the above matter, please feel free to contact our office at (856) 848-6800 or via e-mail (oap@sickelsassoc.com) at your earliest convenience.

Very truly yours,

SICKELS & ASSOCIATES, INC.

Olivier A. Peña
Senior Construction Technician

OAP

Copy To: Timothy D. Scaffidi, Borough Solicitor (via e-mail only)
Susan Miller, Borough Administrator (via e-mail only)
Christine Newcomb, Borough Clerk (via e-mail only)
Donna Nestore, Chief Financial Officer (via e-mail only)
Joe Hunt, CPWM, Director of Public Works Dept. (via e-mail only)
Jack Eckler, Construction Code Office (via e-mail only)
Debbie Schlosser, Planning Board Secretary (via e-mail only)
Scott Bordick, J.S. Hovnanian and Sons (via e-mail only)
Jame Jobes, J.S. Hovnanian and Sons (via e-mail only)
Mark R. Brunermer, Borough Engineer, Sickels & Associates, Inc. (via e-mail only)
Patricia Owens, Sickels & Associates, Inc. (via e-mail only)
David Roché, Construction Manager, Sickels & Associates, Inc. (via e-mail only)
Kim Croft, Sickels & Associates, Inc. (via e-mail only)

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