

RESOLUTION 201-20

**RESOLUTION DENYING RELEASE OF MAINTENANCE
BOND FOR HOVBROS CLAYTON LLC, ABERDEEN – ESTATES
– SECTIONS 1.1 AND 1.2 FOR SITE IMPROVEMENTS (LANDSCAPING)
DUE TO OUTSTANDING LANDSCAPING 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, Maintenance 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 maintenance 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

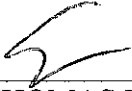
WHEREAS, the Borough Engineer has also recommended that the maintenance bond not be released; and

WHEREAS, prior to release of said maintenance 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 maintenance bond for Hovbros Clayton, LLC, Aberdeen Estates, be and hereby is denied as per the Engineers letter.

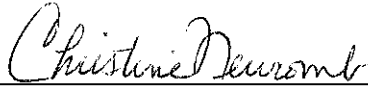
ADOPTED, at a meeting of the Mayor and Council of the Borough of Clayton, in the County of Gloucester, held November 12, 2020.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

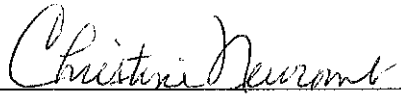
Attest:



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 November 12, 2020.



CHRISTINE NEWCOMB
Municipal Clerk

SICKELS & ASSOCIATES, INC.

Engineers • Planners • Surveyors

October 16, 2020

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

Attention: Mayor and Council Members

**Reference: Maintenance Bond Status Release Landscaping
Aberdeen – Estates – Sections 1.1 & 1.2
Site Improvements (Landscaping)
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton, LLC
Bond No: SU1001773
S&A File No. CB-516-1a**

Dear Mayor and Council Members:

This office has completed our construction observation for the purpose of determining if the maintenance bonds can be released for the above referenced residential development.

Based on the findings of our observations, we have forwarded landscaping plan markups. The marked up plans were forwarded on October 14, 2020 to the Hov Bros Clayton for their use to replace trees and bushes that have died in the last year.

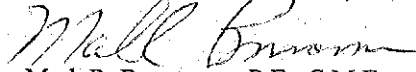
We do not recommend the bonds be released at this time due to the outstanding landscaping punch list items. We request the Developer contact this office with regards to the schedule they intend to implement in completing the necessary work or in the event that they have any questions concerning the landscaping 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 landscaping items. The landscaping items noted within the markups shall be completed during the optimal planting season (Fall - no later than November 20th). If the Applicant is unable to complete the punch list, the maintenance bond shall be extended until the Spring season.

It should be noted that upon completion of the landscaping plantings and prior to the release of the maintenance bond, all outstanding engineering fees must be paid in full. 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
Enclosures (landscaping markups)

cc: Sue Miller, Borough Administrator, w/ enclosures (via e-mail only)
Christine Newcomb, Borough Clerk, w/ enclosures (via e-mail only)
Donna Nestore, Municipal Financial Officer, w/ enclosures (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/ enclosures (via e-mail only)
Timothy Scaffidi, Borough Solicitor, w/ enclosure (via e-mail only)
Scott V. Bordick, Hovbros Clayton, LLC, Site Development Manager, w/ enclosures (via e-mail only)
Jim Jobes, Hovbros Clayton, LLC, w/ enclosures (via e-mail only)
David Roché, Sickels & Associates, Inc., w/ enclosures (via e-mail only)

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