

RESOLUTION 151-21

**RESOLUTION AUTHORIZING RELEASE OF SAFETY AND
STABILIZATION GUARANTEE BOND FOR SOUTH STATE UPON THE
POSTING OF A MAINTENANCE BOND**

WHEREAS, the applicant, South State, has posted, pursuant to the requirements of the Clayton Development Regulation and Zoning Ordinance, Safety and Stabilization Guarantee, guaranteeing improvements in conjunction with said project; and

WHEREAS, the said applicant has completed said improvements and has applied for a release of said Safety and Stabilization guarantee; and

WHEREAS, the Borough Engineer has made an inspection and rendered a report, dated August 3, 2021, a copy of which is attached hereto, and made a part hereof, certifying that the improvements have been completed; and

WHEREAS, the Borough Engineer has also recommended the posting of a two-year maintenance bond in the amount of \$6,093.75 and the inspection fee for the maintenance bond and inspection will be \$2,031.25; and

WHEREAS, prior to release of said Safety and Stabilization Guarantee, 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 guarantee for South State, 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 August 12, 2021.

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 August 12, 2021.

CHRISTINE NEWCOMB
Municipal Clerk

August 3, 2021

Borough of Clayton
125 N. Delsea Drive
Clayton, New Jersey 08312

Attention: Mayor & Council

Reference: "Temporary" Certificate of Occupancy Guarantee Release
Block 1904, Lots 24.01 – 24.05
301, 303, 305 Cenco Boulevard
Applicant: South State
S&A File No. C-660-A

Dear Mayor & Council:

At the request of the Applicant, our office has reviewed the site with respect to the release of the Temporary Certificate of Occupancy Guarantee. As noted within the initial TCO letter, dated November 23, 2020, the Safety and Stabilization Guarantee (\$24,261.60) is being used for the Temporary Certificate of Occupancy bond.

Please be advised that this office verified that all work associated with this project has been deemed acceptable.

At this time, we would recommend final acceptance of the work and the release of the Temporary Certificate of Occupancy Guarantee referenced above, contingent upon the posting of a maintenance bond for the stormwater basin system in accordance with NJSA 40:55D-53a(2). The 2 year maintenance bond amount will be \$6,093.75 and the inspection fee for the maintenance bond close and inspection will be \$2,031.25 in accordance with the attached estimate.

We request that this matter be placed on the agenda for the next available Council meeting. Therefore, by copy of this letter, we would request that the necessary resolution be prepared for Council's consideration.

We note the following items, approved on the construction plans will not be constructed at this time by the owner/Applicant.

1. Construct the office building (**Future**). We understand a future Planning Board Submission to amend the site plan is anticipated in 2021.
2. Construct the concrete along the front of the office building (**Future**). See Item 1 above.

Reference: "Temporary" Certificate of Occupancy Guarantee Release
Block 1904, Lots 24.01 – 24.05
301, 303, 305 Cenco Boulevard
Applicant: South State
S&A File No. C-660-A

August 3, 2021

3. Construct site ID sign at project entrance.

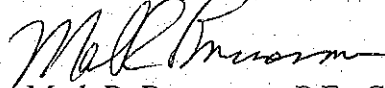
The Applicant is evaluating other developmental opportunities on this and adjacent tracts prior to proceeding with the above referenced items. The activation of any of the above items will require the applicable building permits and inspection escrow fees to be posted before any construction is initiated.

Please note that in no way should this recommendation be construed as final approval for this property until the above conditions are resolved and accepted by the Borough of Clayton. This recommendation is subject to the certification of the property by any other regulatory agencies having jurisdiction over the subject matter. It is the responsibility of the applicant to comply with all applicable regulations, ordinances, requirements and standards of said agencies.

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

Very truly yours,

SICKELS & ASSOCIATES, INC.



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

Enclosure

MRB:kc

cc: Timothy Scaffidi, Borough Solicitor (via e-mail only)
Sue Miller, Borough Administrator (via e-mail only)
Christine Newcomb, Borough Clerk (via e-mail only)
Donna Nestore, Municipal Financial Officer, w/enclosure (via e-mail only)
Debbie Schlosser, Borough Planning / Zoning Board Secretary (via e-mail only)
Greg Sawyer, Public Works Dept. (via e-mail only)
Karl Senseman, Applicant (via email only)
Emily Givens, Esquire (via email only)
Patricia Owens, Sickels & Associates, Inc. (via e-mail only)
David D. Roché, Sickels & Associates, Inc. (via e-mail only)
Olivier A. Peña, Sickels & Associates, Inc. (via e-mail only)
Kim Croft, Sickels & Associates, Inc. (via e-mail only)

Maintenance Bond Estimate & Escrow Fee
Cenco Properties, LLC - Block 1904, Lots 24.03-24.05
Borough of Clayton, Gloucester County, New Jersey

S&A File No. CB-660A

Item No.	Description	Unit Meas.	Quantity	Unit Cost	Total Cost	Work Completed	Value of Work Remaining
Storm Drainage System							
1	Stormwater Management Basin I w/ Basin Access	UNIT	1	\$ 29,500.00	\$ 29,500.00		\$ 29,500.00
2	18" Class IV RCP	LF	55	\$ 85.00	\$ 4,675.00		\$ 4,675.00
3	Connect to Existing Inlet	UNIT	1	\$ 3,000.00	\$ 3,000.00		\$ 3,000.00
4	Riprap Apron	CY	6	\$ 200.00	\$ 1,200.00		\$ 1,200.00
5	Outlet Control Structure	UNIT	1	\$ 2,250.00	\$ 2,250.00		\$ 2,250.00
Total					\$ 40,625.00		\$ 40,625.00
20% Contingency					\$ 8,125.00		\$ 8,125.00
Total Amount w/ 20% Contingency					\$ 48,750.00		\$ 48,750.00
Amount of Engineering Escrow (5%)					\$ 2,031.25		
Maintenance Bond (15%)					\$ 6,093.75		
Notes:							
1. This estimate has been prepared for guarantee determination.							
2. Safety and Stabilization Guarantee: \$5,000 for the first \$100,000 of bonded improvement costs, plus 2.5% of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus 1% of bonded improvement costs in excess of \$1,000,000.							
3. This estimate is based upon plans dated March 19, 2020, last revised May 27, 2020, Sheets 1 thru 17, as prepared by Maser Consulting P.A.							