

RESOLUTION 186-21

**RESOLUTION DENYING RELEASE OF MAINTENANCE
BOND FOR HOVBROS CLAYTON LLC, ABERDEEN – ESTATES
– SECTIONS 2.5 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

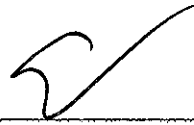
WHEREAS, the Borough Engineer has also recommended that the maintenance bond not be released; and

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 September 9, 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 September 9, 2021.

CHRISTINE NEWCOMB
Municipal Clerk

September 1, 2021

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

Attention: Christine Newcomb, Borough Clerk (via standard mail and e-mail)

**Reference: Maintenance Bond Release – Landscaping Improvements
The Villages at Aberdeen (Section 2.5)
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton, L.L.C. – New Jersey
Bond No. 5019045
S&A File No. CB-516-1**

Dear Ms. Newcomb:

Pursuant to the request made by Applicant, we will complete our site visit on September 8, 2021 of the above referenced site to determine if the Landscaping maintenance bond amount can be released for the above referenced residential development.

The maintenance bond in the amount of **\$13,536.00** was approved under Resolution 160-20. Based on the findings of our past site observations, we are informing the Borough there is landscaping that has died or in the process of dying and must be replaced prior to the release of the maintenance bond. **As such, we would recommend that Council not release the maintenance bond until the landscaping work is replaced. We recommend the work be scheduled to occur in November 2021.**

The maintenance bond expiration date is **September 10, 2021**. Therefore, we request this matter be submitted for Council consideration at their September 9, 2021 meeting. A punchlist for the outstanding landscaping items will be submitted under separate cover.

**Reference: Maintenance Bond Release – Landscaping Impr.
The Villages at Aberdeen (Section 2.5)
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton, L.L.C. – New Jersey
Bond No. 5019045
S&A File No. CB-516-1**

September 1, 2021

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

Very truly yours,

SICKELS & ASSOCIATES, INC.



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

MRB:kc

cc: Mayor & Council Members
Timothy D. Scaffidi, Borough Solicitor (via e-mail only)
Susan Miller, Borough Administrator (via e-mail only)
Donna Nestore, Chief Financial Officer (via e-mail only)
Greg Sawyer, CPWM, Director of Public Works Dept. (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)
Patricia Owens, Sickels & Associates, Inc. (via e-mail only)
David 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)

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