

RESOLUTION 233-19

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE
BOND FOR HOVBROS CLAYTON, LLC - ABERDEEN (ESTATES) WATER
& 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 water & sewer 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 been completed; and

WHEREAS, the Borough Engineer has also recommended waiving the required maintenance guarantee due to the length of the project and installation of the water and sewer improvements; and

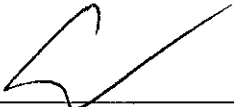
WHEREAS, prior to release of said performance bond, all outstanding engineering, escrow and legal fees, if any, shall be paid in full.

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 as per the Engineers letter.

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 November 14, 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 November 14, 2019.



CHRISTINE NEWCOMB
Municipal Clerk

November 6, 2019

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

Attention: Mayor and Council Members

Reference: Performance Bond Release – Water & Sewer Improvements
Aberdeen (Estates) – Single Family Housing
Borough of Clayton, Gloucester County, New Jersey
Applicant: Hovbros Clayton, LLC
Bond No.: SU1001775 (Section 1.1)
Bond No.: SU1001776 (Section 1.2)
S&A File No. C-516-1a

Dear Mayor and Council Members:


Pursuant to the request made by the Applicant, per the letter dated October 24, 2019, we have completed our review of the above referenced site to determine if the performance bond (\$161,015.04 reduced amount – Section 1.1 & \$66,900.60 reduced amount – Section 1.2) can be released for the above referenced project. Based on the findings of our observations, we are informing the Borough that the work under this project has been completed, corrected and/or repaired.

As such, we would recommend that Borough consider the release of the performance bonds. **Due to the length of the project and installation of the water & sewer improvements (completed in 2007), our office is acceptable to the waiver of the maintenance bond period.**

It should be noted that prior to the release of the performance bond, all outstanding engineering fees must be paid in full. There are currently outstanding escrows for the inspection and punch list close out work for the performance bond release. By copy of this letter to Christine Newcomb, Borough Clerk, we are requesting that this matter be placed on the agenda for approval at the next available Mayor & 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.


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

MRB:oap

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, Director of Public Works (via e-mail only)
Debbie Schlosser, Clayton Combined Zoning/Planning Board Secretary (via e-mail only)
Timothy Scaffidi, Borough Solicitor (via e-mail only)
Scott Bordick, Hovbros Clayton, LLC (via e-mail only)
Colin Marshall, Hovbros Clayton, LLC (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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