
HOLMDEL TOWNSHIP

OFFICE OF THE TOWNSHIP CLERK

TO: Mayor and Township Committee

FROM: Maureen Doloughty, RMC, Township Clerk

DATE: October 21, 2016

RE: **Agenda Items for the Meeting of October 25, 2016**

PLEASE NOTE: There will be a Closed Session beginning at 7:00 PM

Consent

1. The list of Bills Payable has been forwarded to you for review. The Resolution of Approval has been prepared.
2. The List of Purchases over \$3,500 is enclosed for your review.
3. The Director of Infrastructure & Operations has recommended the Township Committee exercise the option to renew the Maintenance and Operation of the Sanitary Sewerage System contract with Stantec Consulting Services, Inc. The contract was awarded December 15, 2015 for the term January 1, 2016 – December 31, 2016 for a term of one year with the option to renew for an additional two years. There is an increase in the 2017 contract price of \$9,680. A Resolution has been prepared.
4. It is recommended the Township Committee authorize Change Order #1 to the 2014 Sanitary Sewer Lining & Trench Rehabilitation Contract to modify the original contract completion date to October 14, 2016. The contract awarded for this service consists of cleaning and TV inspection of sanitary sewer lining, testing and sealing joints and laterals, manhole grouting, and trenchless spot repairs throughout the Township. A Resolution has been prepared.
5. It is recommended the Township Committee award the contract for the large item drop-off program to Mazza & Sons, Inc. The contract is a one year contract with the option to renew for an additional one year. The option year is subject to availability of funds. A Resolution has been prepared.

HOLMDEL TOWNSHIP

OFFICE OF THE TOWNSHIP CLERK

6. The Police Clothing contract is a one year contract with the option to renew for an additional two years. The option years are subject to availability of funds. Police clothing is bid per unit price for each article of clothing and is purchased on an as needed basis. The extended price reflected on the proposal form is based on estimates only for use in determining low bidder. Red's was the sole bidder. A Resolution has been prepared.

7. The applicant, Cruz Associates, received approval from the Planning Board in September 2015 for the improvements and the Performance Bond has been reviewed by the Township Engineer's office and the Township Attorney's office. The Recommendation is that the Committee accept the Bond.

8. The Engineer has reviewed the Cruz Sewer Project to determine the amount of bondable improvements installed to date. It has been determined that all bondable improvements are installed and the recommendation is that the Performance Cash Bond in the amount of \$2,155.81 be released.

As always, if you have questions or cannot attend the meeting please call me at 732-946-2820.

Holmdel Township

4 CRAWFORDS CORNER ROAD
HOLMDEL, NEW JERSEY 07733

Tel: 732-946-2820

Fax: 732-946-0116

HOLMDEL TOWNSHIP COMMITTEE REGULAR MEETING

October 25, 2016

7:00 PM Executive Session

7:30 PM Open Session

Date

Time

Call meeting to order.

Statement to be read by Mayor:

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was sent to the Asbury Park Press, the Independent, and the Two River Times and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on January 9, 2016.

Roll Call:

	Present	Absent
Eric Hinds, Mayor	_____	_____
Gregory Buontempo, Deputy Mayor	_____	_____
Patrick Impeveduto, Committeeman	_____	_____
Thomas Critelli, Committeeman	_____	_____
Michael Nikolis, Committeeman	_____	_____

Also Present:

E.G. Broberg, Engineer	_____	_____
Robert F. Munoz, Attorney	_____	_____
Donna Vieiro, Township Administrator	_____	_____
Jeanette Larrison, Chief Financial Officer	_____	_____
Maureen Doloughy, Township Clerk	_____	_____
Wendy Patrovich, Deputy Township Clerk	_____	_____

Pledge of Allegiance and Moment of Silent Prayer

The Township Committee may adjust the order of the Agenda Items at their discretion

Township Committee Meeting – October 25, 2016

Resolution to Close Meeting – Action May be Taken in Public After
Adjournment

Chief Financial Officer

Clerk

Consent Agenda

1. Approve Bills Payable
2. Approve Purchases over \$3,500
3. Adopt Resolution Excising the Option to Renew the Contract for Operation and Maintenance of the Sanitary Sewer System Stantec Consulting Services, Inc. in the amount of \$229,360
4. Adopt Resolution Authorizing Change Order #1 for the Sanitary Sewer Lining and Trench Rehabilitation Contract to modify the Original Contract Completion Date to October 14, 2016
5. Adopt Resolution Awarding Contract for the Large Item Drop-Off Program to Mazza & Sons in the Amount of \$76,800
6. Adopt Resolution Awarding the Contract for Police Clothing to Red the Uniform Tailor, Inc. for a Value of \$16,820
7. Adopt Resolution Accepting the Performance Bond Posted for Cruz Associates
8. Adopt Resolution Releasing Performance Cash Bond Posted for Cruz Sewer Project

Introduction of Ordinances

Township Committee Meeting – October 25, 2016

Departments

Administrator

Professionals

Attorney

Engineer

Boards/Committees

Business From the Committee

Public Portion – Agenda and Non-Agenda Items

Adjournment

BILLS PAYABLE RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on October 25, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUDN DISTRIBUTION	5-01	CURRENT FUND	\$ 828.94
FUND DISTRIBUTION	6-01	CURRENT FUND	\$ 214,631.48
FUND DISTRIBUTION	6-07	SWR	\$ 28,508.27
FUND DISTRIBUTION	6-12		\$ 14,343.81
FUND DISTRIBUTION	6-26	SWM	\$ 1,137.50
		Year Total:	\$ 258,621.06
FUND DISTRIBUTION	C-04	ORD	\$ 199,545.35
FUND DISTRIBUTION	C-08	SEWER	\$ 21,466.09
		YEAR TOTAL	\$ 221,011.44
FUND DISTRIBUTION	C-02	Dog Trust	\$ 465.00
FUND DISTRIBUTION	G-02	ST/FED GRANT	\$ 1,100.00
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 10,258.33
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 544.50
		Year Total:	\$ 10,802.83
		Total Of All Funds:	\$ 492,829.27
		Total of all Projects:	\$ 11,706.69

CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on October 25, 2016.

Maureen Doloughy, RMC
Township Clerk

Totals by Year-Fund									
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total	Total
CURRENT FUND	5-01	828.94	0.00	828.94	0.00	0.00	0.00	828.94	
CURRENT FUND	6-01	214,605.48	0.00	214,605.48	26.00	0.00	0.00	214,631.48	
SEWER OPERATING	6-07	28,508.27	0.00	28,508.27	0.00	0.00	0.00	28,508.27	
	6-12	2,637.12	0.00	2,637.12	0.00	0.00	11,706.69	14,343.81	
POOL OPERATING ACCOUNT	6-26	1,137.50	0.00	1,137.50	0.00	0.00	0.00	1,137.50	
Year Total:		246,888.37	0.00	246,888.37	26.00	0.00	11,706.69	258,621.06	
GENERAL CAPITAL	C-04	199,545.35	0.00	199,545.35	0.00	0.00	0.00	199,545.35	
SEWER CAPITAL	C-08	21,466.09	0.00	21,466.09	0.00	0.00	0.00	21,466.09	
Year Total:		221,011.44	0.00	221,011.44	0.00	0.00	0.00	221,011.44	
Dog Trust	D-02	465.00	0.00	465.00	0.00	0.00	0.00	465.00	
STATE/FEDERAL GRANT FUND:	G-02	1,100.00	0.00	1,100.00	0.00	0.00	0.00	1,100.00	
OTHER TRUSTS	T-12	10,258.33	0.00	10,258.33	0.00	0.00	0.00	10,258.33	
FAIR HOUSING TRUST	T-24	544.50	0.00	544.50	0.00	0.00	0.00	544.50	
Year Total:		10,802.83	0.00	10,802.83	0.00	0.00	0.00	10,802.83	
Total of All Funds:		481,096.58	0.00	481,096.58	26.00	0.00	11,706.69	492,829.27	

Project Description	Project No.	Rcvd Total	Held Total	Project Total
HOLM TWSP/KOHL'S FACADE	MCB-0030	11,343.00	0.00	11,343.00
KOHL'S FACADE	MEF-000117	63.69	0.00	63.69
OUTFRONT MEDIA	ZB-OUTFRON	300.00	0.00	300.00
Total of All Projects:		<u>11,706.69</u>	<u>0.00</u>	<u>11,706.69</u>

Vendor # Name	PO # PO Date Description	Item Description	Amount	Charge Account	Contract PO Type	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Exc]
WBMA0001 W.B. Mason Co., Inc.	16-02089 07/01/16 BLANKET PO FOR SUPPLIES	8 OFFICE SUPPLIES	434.73	6-01-25-240-240-302	B	B POL: Office Building & Grounds	R	07/01/16	10/17/16		I38072949	N
	Vendor Total:		434.73									
WHIT0003 Mark White, Ph.D., P.A.	16-03173 09/29/16 Fitness for Duty Evaluation	1 Fitness for Duty Evaluation	375.00	6-01-20-100-100-127	B	B ADMIN: Employee Asst Program	R	09/29/16	10/17/16		09/19/16	N
	Vendor Total:		375.00									
WINN0001 Winner Ford	16-02075 07/01/16 TWO 2017 UTILITY VEHICLES	1 One 2017 UTILITY VEHICLES 2 One 2017 UTILITY VEHICLES	25,493.00 25,493.00	C-04-16-006-000-909 C-04-16-006-000-909	B B	B Ord 2016-06 PD Vehicles (SUV) B Ord 2016-06 PD Vehicles (SUV)	R R	07/01/16 10/14/16	10/17/16 10/17/16		221296 221297	N N
	Vendor Total:		50,986.00									
WIRED001 Wireless Communications	16-00675 03/02/16 CALL AND RADIO RECORDER	1 CALL AND RADIO RECORDER	21,630.00	C-04-15-010-000-907	B	B Ord 2015-10 PD Radios	R	03/02/16	10/17/16		S51716027	N
	Vendor Total:		21,630.00									

Total Purchase Orders:	143	Total P.O. Line Items:	221	Total List Amount:	492,829.27	Total Void Amount:	0.00
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BILLS PAYABLE RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on October 25, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	6-01	CURRENT FUND	\$	120.00
		Total of All Funds:	\$	120.00

CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on October 25, 2016.

Maureen Doloughy, RMC
Township Clerk

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	6-01	120.00	0.00	0.00	120.00
Total of All Funds:		<u>120.00</u>	<u>0.00</u>	<u>0.00</u>	<u>120.00</u>

Over \$ 3,500 List for Township Committee Approval

OCTOBER 25, 2016 Meeting

Project : Sign Supplies

Vendor: Glenco Supply Co, Inc.

Amount: \$ 4,429.00

Please see attached quote #1011 for complete description.

Project :

Vendor:

Amount:

Please see attached for complete description.

Project :

Vendor:

Amount:

**GLENCO SUPPLY INC
PO BOX 638
OAKHURST NJ 07555
732-995-8753
FAX-732-256-4149**

FROM: STEVE ROBERTS 10-11---16

SHIP AND BILL:

QUOTE: 1011

TWP OF HOLMDEL DPW
ATTN: DAN

50- EXT CROSS PIECES-	7.00 EA	350.00
30- GOLD BAR KITS	7.00 EA	210.00
30- ROUND POSTS	38.00 EA	1140.00
6- 12" TRANSFER TAPE	56.00 EA	336.00
4- 8" TRANSFER TAPE	42.00 EA	168.00
5- 6" TRANSFER TAPE	28.00 EA	140.00
1- 36" WHITE HI INT SHEETING	895.00 EA	895.00
1- 36" EC FILM FOREST GREEN	825.00 ea	825.00
1- 30" BLACK SHEETING	365.00 EA	365.00

TOTAL: \$ 4,429.00

10-13-16 record

TOWNSHIP COMMITTEE AGENDA ITEM # 3

Meeting Date: October 25, 2016

Subject: **Option to Renew – Maintenance & Operation Sanitary Sewer System**

Submitted by: Barbara Kovelesky, QPA

Approved by: Donna M. Vieiro, Township Administrator

RECOMMENDATION

The Director of Infrastructure & Operations has recommended the Township Committee exercise the option to renew the Maintenance and Operation of the Sanitary Sewerage System contract with Stantec Consulting Services, Inc.

PREVIOUS ACTION

The contract was awarded December 15, 2015 for the term January 1, 2016 – December 31, 2016.

BACKGROUND

This contract was bid for a term of one year with the option to renew for an additional two years.

FISCAL IMPACT

There is an increase in the 2017 contract price of \$9,680.

Attachments:

Resolution

<u>For Internal Use</u>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		

Date Delegated: _____		
Signature: _____		

RESOLUTION AWARDING CONTRACT

WHEREAS, the Township of Holmdel entered into a contract with , Stantec Consulting Services Inc for Maintenance and Operation of the Sanitary Sewerage System on December 16, 2014 for the time period of January 1 through December 31, 2015; and

WHEREAS, the Township of Holmdel retained the option to renew the contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Township hereby invokes its option to renew the contract with Stantec Consulting Services Inc for Maintenance and Operation of the Sanitary Sewerage System for the period of January 1, 2017 through December 31, 2017 for a cost of \$235,180.00 in accordance with the Resolution dated December 16, 2014.

CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on October 25, 2016.

Maureen Doloughy, RMC
Township Clerk

TOWNSHIP COMMITTEE AGENDA ITEM # 4

Meeting Date: October 25, 2016
Subject: **Change Order – 2014 Sanitary Sewer Lining & Trench Rehab**
Submitted by: Barbara Kovelesky, QPA
Approved by: Donna M. Vieiro, Township Administrator

RECOMMENDATION

It is recommended the Township Committee authorize Change Order #1 to the 2014 Sanitary Sewer Lining & Trench Rehabilitation Contract to modify the original contract completion date to October 14, 2016.

PREVIOUS ACTION

BACKGROUND

The contract awarded for this service consists of cleaning and TV inspection of sanitary sewer lining, testing and sealing joints and laterals, manhole grouting, and trenchless spot repairs throughout the Township.

FISCAL IMPACT

There is no change in the contract cost.

Attachments:

Resolution
Change Order

<u>For Internal Use</u>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		

Date Delegated: _____		
Signature: _____		

RESOLUTION AUTHORIZING CHANGE ORDER

WHEREAS, the Township of Holmdel awarded a contract for the or the 2014 Sanitary Sewer Lining and Trenchless Rehabilitation to Aqua Infrastructure Rehabilitation Co, LLC dba Tri State Gardening; and

WHEREAS, the work relating to that contract is ongoing and;

WHEREAS, the Township Engineer has submitted a detailed report dated August 29, 2016 requesting modification of the original contract completion date to October 14, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Change Order #1 and Final and amendment to the referenced contract is hereby approved.

BE IT FURTHER RESOLVED that the Township report dated August 29, 2016 is hereby incorporated by reference.

CERTIFICATION

I, Maureen Doloughty, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on October 25, 2016.

Maureen Doloughty, RMC
Township Clerk

T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. HOLM-06081

CHANGE ORDER NO. 1

DATE: August 29, 2016
PROJECT: 2014 Sanitary Sewer Lining and Trenchless Rehabilitation
OWNER: Township of Holmdel
CONTRACTOR: Aqua Infrastructure Rehabilitation Company LLC doing business as Tri-State Grouting

DESCRIPTION OF CHANGE:

REDUCTIONS:

EXTRA:

SUPPLEMENTARY:

This change order modifies the original contract completion date (August 24, 2016) as follows:

All work must be completed by October 14, 2016 (Time extension = 51 days)

This change order is for an extension of time only. There is no change in the contract cost resulting from this Change Order 1

APPROVAL/RECOMMENDATION

Edward G. Bobberg, P.E.

ACCEPTED:

CONTRACTOR:
Aqua Infrastructure Rehabilitation LLC
doing business as Tri-State Grouting

OWNER'S APPROVALS:

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$0.00	XXXXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXXXX
TOTALS THIS C.O.	\$0.00	\$0.00
NET CHANGE THIS CHANGE ORDER		
PREVIOUS CHANGE ORDER	\$0.00	\$0.00

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 5

Meeting Date: October 25, 2016
Subject: Award of Contract – Large Item Drop-Off Program
Submitted by: Barbara Kovelesky, QPA
Approved by: Donna M. Viero, Township Administrator

RECOMMENDATION

It is recommended the Township Committee award the contract for the large item drop-off program to Mazza & Sons, Inc. The contract is a one year contract with the option to renew for an additional one year. The option year is subject to availability of funds.

PREVIOUS ACTION

BACKGROUND

Bids were received on October 6, 2016. Mazza & Sons was the sole bidder.
The contract is being awarded based on the price per container and the disposal fee per ton. Price per 30 yard container: \$245.00; Disposal fee per ton: \$80.00
The approximate value of this contract shall be \$76,800.

FISCAL IMPACT

Attachments:

Resolution

<u>For Internal Use</u>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		

Date Delegated: _____		
Signature: _____		

RESOLUTION AWARDING CONTRACT

WHEREAS, bids were received on October 6, 2016 at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for the Large Item Drop Off Program; and

WHEREAS, Mazza & Sons was the sole bidder as follows:

Bidder	Container Fee	Cost per ton	Total
Mazza & Sons	\$245	\$80.00	\$76,800

and

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to Mazza & Sons; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards a contract to Mazza & Sons in accordance with the bid documents in the amount of \$76,800.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Mazza & Sons, the Township Chief Financial Officer, Township Administrator, Township Qualified Purchasing Agent, and Director of Infrastructure.

CERTIFICATION

I, Maureen Doloughty, Township Clerk of the Township of Holmdel, do hereby certify that the above is a true copy of the Resolution adopted by the Holmdel Township Committee at a meeting held on October 25, 2016.

Maureen Doloughty, RMC
Township Clerk

TOWNSHIP COMMITTEE AGENDA ITEM # 6

Meeting Date: October 25, 2016
Subject: Award of Contract – Police Clothing
Submitted by: Barbara Kovelesky, QPA
Approved by: Donna M. Vieiro, Township Administrator

RECOMMENDATION

It is recommended the Township Committee award the contract to Red the Uniform Tailor, Inc.

PREVIOUS ACTION

BACKGROUND

The police clothing contract is a one year contract with the option to renew for an additional two years. The option years are subject to availability of funds. Police clothing is bid per unit price for each article of clothing and is purchased on an as needed basis. The extended price reflected on the proposal form is based on estimates only for use in determining low bidder. Red's was the sole bidder.

FISCAL IMPACT

The fiscal impact is determined by the amount of clothing purchased. The approximate value of this contract shall be \$16,820.00

Attachments:

Resolution

<u>For Internal Use</u>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		

Date Delegated: _____		

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 7

Meeting Date: October 25, 2016

Subject: Cruz Associates Performance Bond

Submitted by: Maureen Doloughy

Approved by:

RECOMMENDATION

It is recommended that the Committee adopt the Resolution

PREVIOUS ACTION

BACKGROUND

The applicant received approval from the Planning Board in September 2015 for the improvements and the Performance Bond has been reviewed by the Township Engineer's office and the Township Attorney's office. The Recommendation is that the Committee accept the Bond. A Resolution has been prepared.

FISCAL IMPACT

None

Attachments:

Resolution
Approval letter
Bond

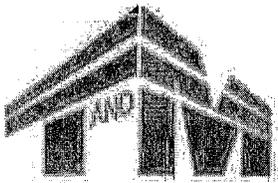
RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Performance Bond No. S-304213 in the amount of \$21,578.40 issued by NGM Insurance Company posted for Cruz Associates, Inc. be accepted.

CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on October 25, 2016

Maureen Doloughy, RMC
Township Clerk



YOUR GOALS. OUR MISSION.

HOPB-R2390

September 27, 2016

Maureen Doloughty
Township Clerk
Township of Holmdel
4 Crawfords Corner Road
Holmdel, NJ 07733

**Re: Cruz Associates, LLC
Preliminary and Final Minor Site Plan
Block 11.01, Lot 10 - 59 Main Street
Performance Surety Bond – Review (Bond No. S-304213)**

Dear Ms. Doloughty:

As requested, we have reviewed the Performance Surety Bond S-304213 issued by NGM Insurance Company, in the amount of \$21,578.40 that was submitted in conjunction with the subject application. Prior to recommending approval, the approval date in the second paragraph on the first page of the Performance Surety Bond must be revised to reflect September 6, 2015. I further recommend that the Performance Guarantee Estimate and the Resolution be attached to the bond.

If you have any questions or require additional information, please call.

Very truly yours,

EDWARD G. BROBERG, P.E.
HOLMDEL TOWNSHIP ENGINEER


BONNIE L. HEARD, P.E., C.M.E.
SUPERVISING ENGINEER

EGB:BLH:EST:dk

c: Bonnie Imposimato, Planning Board Secretary
Toni Whalen, Davison, Eastman & Munoz
Salvatore Alfieri, Cleary Jacobbe Alfieri Jacobs, LLC

H:\HOPB\R2390\Correspondence\Doloughty_B LH_Cruz_Performance Bond Review.docx

Block(s) 11.01 Lot(s) 10

Bond Number S-304213

NEW JERSEY SUBDIVISION/SITE PLAN BOND
(Form as Prescribed by NJAC 5:39-1.1, effective July 16, 2001)

We, Cruz Associates, LLC
having office at 59 Main St., Holmdel, NJ 07733
as principal, and NGM Insurance Company, having office at 4601 Touchton Road East, Suite 3400,
Jacksonville, FL 32246, a corporation duly licensed to transact a surety business in the State of New Jersey, as
surety, are indebted to the municipality of Holmdel in the County of Monmouth
as Obligee, in the sum of Twenty one thousand five hundred seventy eight and 40/100
(\$ 21,578.40) Dollars, for which payment we bind ourselves and our respective heirs, legal representatives,
successors, and assigns, jointly and severally.

On September 8, 2015 (date) Cruz Associates, LLC was granted approval by the Planning Board
(approving authority) of the Township
of Holmdel, NJ for
Block 11.01, Lot 10-59 Main Street

(include reference to specific job and resolution of approval). The estimate by the municipal engineer of the cost of
this work and the resolution of approval are attached hereto and made a part hereof.

Pursuant to municipal ordinance, adopted under authority of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et
seq.), the principal hereby furnishes a performance surety bond in the amount of
Twenty one thousand five hundred seventy eight and 40/100

(\$21,578.40) Dollars (not to exceed 120 percent of the cost of the improvements, as certified by the
municipal engineer), written by NGM Insurance Company, a surety licensed in the State of New
Jersey, guarantying full and faithful completion of improvements approved by the approving authority, in lieu of
completing the required improvements prior to the granting of final approval. This bond shall remain in full force
and effect until such time as all improvements covered by the bond have been approved or accepted by resolution of
the municipal governing body, except that in those instances where some of the improvements are approved or
accepted by resolution of the governing body upon certification by the municipal engineer, partial release from the
bond shall be granted in accordance with N.J.S.A. 40:55D-53. The amount of the bond remaining shall be sufficient
to secure provision of the improvements not yet approved; provided, however, that the municipality may require that
30 percent of the amount of the bond be retained to ensure completion of all improvements.

This bond shall remain in full force and effect until released by resolution of the municipal governing body.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until
such time as all improvements subject to the bond have been accepted by the municipality, in accordance with the
applicable provisions of the Municipal Land Use Law.

2. This bond shall be deemed to be continuous in form and shall remain in full force and effect until the
improvements are accepted by the municipality and the bond is released, or until default is declared, or until the
bond is replaced by another bond meeting applicable legal requirements. Upon approval or acceptance of all
improvements by the municipality, or upon replacement of this bond by another bond, liability under this bond shall
cease. Upon approval or acceptance of some, but not all, of the required improvements by the municipality, partial
release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53; provided, however, that the portion
of the bond amount sufficient to secure completion of the improvements shall continue in effect and the municipality
may retain 30 percent of the bond amount posted in order to ensure such completion.

3. The aggregate liability of the surety shall not exceed the sum set forth above.

4. In the event that the improvements subject to this bond are not completed within the time allowed under
the conditions of the final approval issued pursuant to the Municipal Land Use Law, including such extensions as
may be allowed by the approving authority, the municipal governing body may, at its option, and upon at least 30
days, prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or
courier, declare the principal to be in default and, in the event that the surety fails or refuses to complete the work in

accordance with the terms and conditions of the original approval, claim payment under this bond for the cost of completion of the work. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the municipality by personal delivery or by registered or certified mail or courier at the same time.

5. The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval, either with its own employees or in conjunction with the principal or another contractor; provided however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.

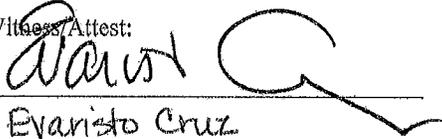
6. In the event that the principal and the approving authority agree to changes in the scope of work, the obligations of the surety under this bond shall not be affected so long as the cost of the work does not exceed 120 percent of the municipal engineer's certified estimate, attached hereto and made a part hereof, which 120 percent of the estimate shall be the limit of the surety's obligation under this bond in any case. If the cost of the work exceeds 120 percent of the certified estimate, the principal shall secure a rider from a surety to provide additional coverage.

7. This bond shall inure to the benefit of the municipality only and no other party shall acquire any rights hereunder.

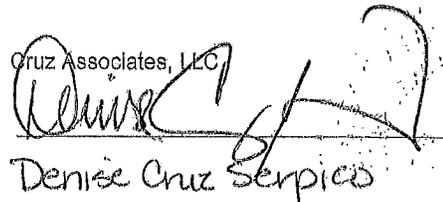
8. In the event that this bond shall for any reason cease to be effective prior to the approval or acceptance of all improvements, a cease and desist order may be issued by the governing body, in which case all work shall stop until such time as replacement guarantee acceptable to the approving authority becomes effective.

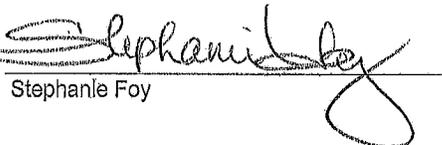
Date: September 21, 2016

Witness/Attest:

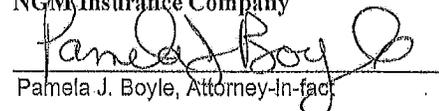

Evanisto Cruz

Cruz Associates, LLC


Denise Cruz Serpico


Stephanie Foy

NGM Insurance Company


Pamela J. Boyle, Attorney-in-fact

Attachments:
Resolution
Engineer's Estimate

STATE OF NEW JERSEY:

: ss

LLC ACKNOWLEDGMENT

COUNTY OF Monmouth:

I CERTIFY THAT on September 21, 2016, DENISE CRUZ SERPICO personally came before me and acknowledged under oath, to my satisfaction, that:

- (a) This person is the Managing Member of Cruz Associates, LLC, the Limited Liability Company named in this document; and
- (b) This person is authorized, pursuant to the Operating Agreement, to execute papers on behalf of the Company; and
- (c) This document was signed and delivered by the Company as its voluntary act duly authorized by a proper resolution of the Members authorized by the Operating Agreement to authorize such acts.

Sworn and Subscribed to
before me this 21 day
of September, 2016.

Ryan P. Finnen

NOTARY PUBLIC OF NEW JERSEY

Ryan P. Finnen
Notary Public, State of New Jersey
My Commission Expires
May 28, 2019

**RESOLUTION
OF THE PLANNING BOARD OF THE TOWNSHIP OF HOLMDEL
MONMOUTH COUNTY, NEW JERSEY**

Application for: Preliminary and Final Site Plan Approval with Variances and/or Waivers
Applicant: Cruz Associates, LLC
Application #: 2015-3
Date Approved: July 28, 2015
Date Memorialized: September 8, 2015

A. WHEREAS, the Planning Board of the Township of Holmdel (the "Board") is empowered, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (the "MLUL") and Section 30-1 et seq., of the Development Regulations of the Township of Holmdel (the "Development Regulations"), to hear and determine applications for development.

B. WHEREAS, an application for a Preliminary and Final Site Plan Approval with Variances and/or Waivers (collectively the "Application"), has been made to the Board under an application filed by Cruz Associates, LLC (the "Applicant").

C. WHEREAS, the Application pertains to the real property located at 59 East Main Street and is further designated as Block 11.01, Lot 10 as depicted on the Tax Map of the Township of Holmdel (the "Property").

D. WHEREAS, the Applicant is the owner of the Property.

E. WHEREAS, the Applicant seeks permission to undertake the following project on the Property (collectively the "Project"): (i) demolish the rear one-story portion of the existing building containing approximately 300 square feet and to construct a new, approximately 637 square foot one-story addition within the same area with a 152 square foot covered porch/deck; (ii) install a handicap accessible ramp from the rear porch to the existing parking lot; (iii) to install a new spotlight on the new addition to light the parking lot; and (iv) all other site work as may be provided on the plans submitted as part of the Application.

F. WHEREAS, a public hearing(s) was held before the Board on July 28, 2015 with regard to this Application.

G. WHEREAS, the Applicant was represented by Salvatore Alfieri, Esquire of the firm Cleary, Glacobbe, Alfieri & Jacobs, LLC.

H. WHEREAS, the Board received expert reports and heard testimony from the Applicant's professionals and/or witnesses, including Justin R. Yost, PE, of the firm Maser Consulting, and Denise Cruz, owner, together with receipt of reports from these professionals and/or witnesses (collectively the "Applicant's Witnesses").

I. WHEREAS, the public having had an opportunity to be heard,

J. WHEREAS, in addition to the Application file, which consists of those items submitted by the Applicant as listed on Schedule "A" hereto, the Board accepted into evidence the exhibits listed on Schedule "B" hereto, all of which were duly identified and marked for the record.

K. WHEREAS, a complete Application has been filed, the fees as required by the Development Regulations have been paid, public notice appearing to be in order and it otherwise appearing that the jurisdiction and powers of the Board have been properly invoked and exercised.

L. WHEREAS, the Board having carefully considered all of the evidence and exhibits presented, and the questions and comments of the Applicant's professionals and/or witnesses and of interested members of the public (if applicable), makes the following findings of fact and/or conclusions of law based thereon with regard to this Application:

1. The Applicant herein is requesting a Preliminary and Final Site Plan Approval with Variances and/or Waivers, in order to undertake the Project on the Property.

2. The Property comprises approximately 17,097 square feet and is located at 59 East Main Street and is further designated as Block 11.01, Lot 10 as depicted on the Tax Map of the Township of Holmdel. The Property is located in both the B-1 (Neighborhood (Village) Business) Zone. The Zoning Officer has determined that the Project is a permitted use in this zone.

3. In addition to Applicant's request for Preliminary and Final Site Plan Approval, the Project proposed by the Application requires Variance relief of certain pre-existing conditions, as the Application does not meet all of the Development Regulations of the Township for the Property in the subject zone, as noted with specificity in the Board Engineer's First Engineering Review letter dated June 30, 2015 and the Board Planner's Planning Review letter #1 dated July 24, 2015, (collectively the "Board Consultant's Review Letters") including but not limited to the following as noted in the following particulars:

As to deficiencies requiring Variance relief from pre-existing conditions

- a. Lot Size. Section 30-142.6.a of the Development Regulations requires a minimum lot size of 30,000 square feet, while the Property has a pre-existing non-conformity for lot size of 17,097 square feet. Accordingly, a variance is required to permit the non-conformity.
- b. Lot Width and frontage. Section 30-142.6.b of the Development Regulations requires a minimum lot width and minimum lot frontage of 150 feet, while the Property has pre-existing non-conformities for lot width and frontage of 85.5 feet. Accordingly, a variance is required to permit the non-conformity.
- c. Front Yard Setback. Section 30-142.6.d of the Development Regulations requires a minimum front yard setback of 50 feet, while the Property has a pre-existing non-conforming front yard setback of 41.9 feet to the dwelling and 34.1 feet to the porch. Accordingly, a variance is required to permit the non-conformity.
- d. Height. Section 30-142.6.g of the Development Regulations permits a maximum building height of 30 feet, while the existing structure has a height of 32.9 feet. Accordingly, a variance is required to permit the non-conformity. (It is noted that the addition complies with the height limitation.)
- e. Buffer. Section 30-54.c of the Development Regulations requires a buffer equivalent to 20% of the average width or depth of the Property when a non-residential development abuts a residential zone/use on the side or rear (respectively). The Property has pre-existing non-conforming buffer width of 8.5 feet from the residential zone/use to the rear, where a minimum 40 feet is required. Accordingly, a variance is required to permit the non-conformity.

- f. Buffer. Section 30-80.c of the Development Regulations requires a 15-foot buffer between the parking lot and a residential use. The Property has pre-existing non-conforming buffer of 8.5 feet from the residential use to the rear. Accordingly, a variance is required to permit the non-conformity.
- g. Signs. The Property contains a pre-existing non-conforming freestanding sign that is to remain. The sign does not comply with following provisions of the Development Regulations (i) Section 30-96.2.b.1 (freestanding signs not permitted on lots less than 1 acre where 17,097 square feet is existing); and (ii) Section 30-96.2.b.2(a) (freestanding signs shall be no closer than 25 feet to a right-of-way line where 11 feet is existing). Accordingly, variances to permit these non-conformities are required. Accordingly, variances are required to permit these non-conformities.
- h. Driveway. Section 30-80.a of the Development Regulations requires the driveway to be 25 feet wide and a setback of 20 feet from a property line. The Property has pre-existing non-conforming driveway of 18 feet wide and a setback of 2.5 feet. Accordingly, variances are required to permit these non-conformities.

4. In addition to Applicant's request for Preliminary and Final Site Plan Approval, the Project proposed by the Application requires new Variance relief resulting from the Project, as the Application does not meet all of the Development Regulations of the Township for the Property in the subject zone, as noted with specificity in the Board Consultant's Review Letters, including but not limited to the following as noted in the following particulars:

As to deficiencies requiring new Variance relief resulting from the Project

- a. Parking. Section 30-142.6.J of the Development Regulations requires one parking space per 200 square feet of gross floor area, resulting in eleven required parking spaces. The Applicant is proposing 8 parking spaces including one handicap space. Accordingly, a variance is required.
- b. Parking. Section 30-80.d.3 of the Development Regulations requires parking space to be at least 9 feet wide. The Applicant is proposing parking spaces of between 7.4 to 8.5 feet in width. Accordingly, a variance is required.
- c. Lighting. Section 30-69 of the Development Regulations permits a maximum lighting level of 1.0 foot-candles, while the Project proposes one building-mounted spot light but no lighting plan. Accordingly, a variance is required to permit the non-conformity as the Applicant's Witnesses testified that the maximum lighting level will be exceeded in some areas.
- d. Woodlands Retention. Section 30-116.10 of the Development Regulations requires a Woodlands Retention and Preservation Plan be submitted as part of any site plan or subdivision application, including those specific details as noted in the ordinance. (It is noted that the site is developed and no trees are proposed to be removed.) Accordingly, a variance is required.

5. In addition to Applicant's request for Preliminary and Final Site Plan Approval, the Project proposed by the Application requires Waiver relief, as the Application does not meet all of the Development Regulations of the Township for the Property in the subject zone, as noted with specificity in the Board Consultant's Review Letters including but not limited to the following as noted in the following particulars:

As to deficiencies requiring Waiver relief

- a. Curbing. Section 30-56.a of the Development Regulations requires Belgian block curbing around the entire perimeter of the parking lot. While the Project proposes (or has as pre-existing) Belgian block curbing around the driveway islands and east side of the parking lot, the Applicant does not propose Belgian block curbing around the rest of the perimeter of the parking area. Accordingly, a design waiver to permit the non-conformity is required.
 - b. Landscaping. Section 30-93 of the Development Regulations requires shade trees to be planted 50-foot on center. The Applicant is not proposing any new shade trees along the Property frontage. Accordingly, a design waiver to permit the non-conformity is required.
 - c. Trash Enclosure. Section 28.22 of the Holmdel Development Design Manual requires a trash enclosure area which is required to be surrounded by a fence or wall and a minimum five foot wide landscape area along three sides, as well as separated by curbing from the parking area. The Applicant does not propose any trash enclosure as trash will continue to be handled by a 95 gallon roll container garbage can put outside for pickup. Accordingly, a design waiver to permit the non-conformity is required.
6. With regard to planning and zoning, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to the pre-existing bulk conditions at the site, the physical limitations of the Property, and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.
7. With regard to off-site and off-tract improvements, other than the clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, and other than any requirements as may be required by the County of Monmouth as concerns Main Street (County Road 320), the Applicant's Witnesses testified as to the condition of the curbing, sidewalks and apron. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.
8. With regard to traffic circulation and layout, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to the parking, striping of the spaces, driveway, curbing, and replacing the brick walkway to the handicap space and those items as required by the Board's Consultants all as set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.
-
9. With regard to grading and drainage, as the Project does not propose more than one acre of disturbance nor more than one-quarter acre of additional impervious coverage, 2004 stormwater regulations do not apply. Since only de minimis changes are proposed impervious coverage and runoff, there will be no impact on the existing drainage and grading. Notwithstanding the foregoing, the Applicant must comply with those requirements as noted below under Special and/or General Condition.
10. With regard to lighting, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant testified as to the

building mounted light and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.

11. With regard to landscaping, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to the existing trees and landscaping and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.

12. With regard to environmental issues, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to Project not proposing any tree removal, and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.

13. With regard to sanitary sewer and utility issues, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to the existing septic and utilities, and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.

14. With regard to general issues, other than the variance and/or waiver relief requested by the Applicant as set forth in the Application and clarifications of the Board Consultants' comments as testified to by the Applicant's Witnesses and subject to the provisions of this Resolution, the Applicant's Witnesses testified as to recycling and trash details, condition of the parking lot, striping of parking lot, material for the ADA compliant ramp to the handicap parking space, existing HVAC, and agreed to be bound by those requirements set forth and as noted with specificity in the Board Consultant's Review Letters. Notwithstanding the foregoing, the Applicant must comply with those requirements as may be noted below under Special and/or General Conditions.

15. With regard to this Application the Board has received the following Reports from the Board's professional, other reviewing agencies and/or the Township's professionals (collectively the "Consultants") and has incorporated them by reference in the body of this Resolution:

- a. Initial Engineering Letter Report from T&M Associates, Board Engineers, dated June 30, 2015.
- ~~b. Planning Review Letter #1 from GMB Associates, Board Planner, dated July 24, 2015.~~
- c. Monmouth County Planning Board Final Approval dated May 11, 2015.
- d. Letter Report from the Holmdel Township/County of Monmouth Board of Health, dated May 4, 2015.
- e. Letter from the Monmouth County Shade Tree Commission, if applicable, dated _____.

- f. Letter from the Holmdel Environmental Commission dated _____
- g. Letter from the Holmdel Fire Official, dated _____
- h. Letter from the Holmdel Township Construction Official, dated _____
- i. Letter from the Holmdel Traffic Safety Officer, dated May 15, 2015.

16. The Applicant's Witnesses were all sworn in, provided a brief summary of their qualifications and provided all of the testimony on behalf of the Application as noted in the record of the hearings and as generalized below, including by way of example the following.

- a. At the July 28, 2015 hearing, the Applicant offered testimony as to the limited office use of Property (only general office of the Applicant, but no construction offices), the number of employees (3 full time), the reason for the replacement of the old rear addition, the handling of garbage, the condition and buffering of the existing air conditioner unit (not being expanded and currently landscaped), utilities, and condition of septic (no issues since purchase two years ago). The Applicant offered further testimony that there will not be any expansion of the operations or employees.
- b. At the July 28, 2015 hearing, the Applicant's engineer provided a general overview of the Project, the pre-existing conditions and site improvements related thereto, the physical limitations of the Property necessitating certain relief, the current conditions as to parking, lighting, landscaping and other aspects of the site, and the proposed improvements related to the Project.
- c. At the July 28, 2015 hearing, the Applicant's engineer offered testimony as to eight pre-existing bulk non-conformities that require continuation of the variance relief.
- d. At the July 28, 2015 hearing, the Applicant's engineer offered testimony and exhibits with regard to the proposed Project and the new variance and waiver relief being sought, including the reasons for the parking variances, lighting, landscaping (both as to shade trees already existing and no trees to be removed), curbing and trash enclosure.
- e. At the July 28, 2015 hearing, the Applicant's engineer commented as to items set forth in the Board Consultant's Review Letters and provided expert opinion as to the positive and negative criteria required for the variance and waiver relief sought by the Applicant, including by example only, variance relief meeting the positive and negative criteria, the benefits of the Application under the MLUL and the benefits outweighing any detriments.
- f. At the July 28, 2015 hearing, the Applicant's engineer responded to questions by the Applicant's attorney and offered testimony regarding the condition of the existing curbing (Belgian block and in good condition), surface of handicap area in parking area (will remove pavers and install concrete), status of outside agency approvals (have final Monmouth County approval and no dedication required), condition of apron and sidewalk (good condition) to the proposed Project and the new variance and waiver relief being sought, including the reasons for the parking variances, lighting, landscaping (both as to shade trees already existing and no trees to be removed), curbing and trash enclosure.
- g. At the July 28, 2015 hearing, the Applicant, through its attorney and/or witnesses, agreed to accept all of the recommendations of the Board engineer as set forth in the Board Consultant's Review Letters including by way of example only and not by way of limitation, agreeing to

stripe the parking lot and those recommendations as may be noted below in the Special Conditions.

- h. During the course of the hearings, the Applicant's witnesses offered testimony regarding the site plan and the variances and waivers being requested by the Applicant, and all other aspects of the Project and related site amenities. The Applicant's Witnesses also commented with regard to questions and comments from the Board and its Consultants and where applicable, to plan revisions that were made throughout the hearing process based upon such comments and recommendations of the Board and its Consultants. The testimony of the Applicant's Witnesses with regard to all aspects of the Application, together with the variances and waivers requested, was consistent with the statements set forth earlier in this Resolution.

17. As partially noted in paragraph 16 of Recital L above and as detailed in the recordings, during the course of the hearings with regard to the Application, the Board's Consultants commented and discussed their Reports and the comments and testimony given by the Applicant's Witnesses with the Board, including but not limited to the following:

- a. Clarifying no expansion of operations or employees (to which it was indicated there will be no expansion of operations or increase in employees).
- b. Confirming the new lighting (to which it was confirmed that the new light is a "down light" and not a flood light).
- c. Confirming parking lot should be striped (to which it was agreed).

18. As partially noted in paragraph 16 of Recital L above and as detailed in the recordings, during the course of the hearings with regard to the Application, one member of the public asked questions or provided comments/testimony regarding the Application, including the landscaping for the new addition or front door (to which it was indicated no new landscaping was proposed as there is existing landscaping that was recently completed).

19. As partially noted in paragraph 16 of Recital L above and as detailed in the recordings, during the course of the hearings with regard to the Application, the Board accepted the qualifications of the Applicant's Witnesses, found the Applicant's Witnesses to be credible, and various members of the Board asked questions of, made comments to, and came to findings based upon the testimony given by the Applicant's Witnesses and discussed the reports issued by the Board's Consultant's with the Applicant's Witnesses. By way of example only, several areas of critical importance to one or more of the members of the Board included the following:

- a. Timing to complete the Project (to which it was indicated Spring 2016).
- b. The condition of the apron in addition to the sidewalk (to which it was indicated it was in good shape).
- c. Clarifying the notation regarding the removal of two stumps and any plans to replace (to which it was indicated the stumps were the result of two trees being knocked down in Superstorm Sandy and there are no plans to replace as the Property is already landscaped).

20. In that the proceedings in this matter were voice recorded, the recital of facts in this Resolution is not intended to be all inclusive, but a summary and highlight of the complete record made before the Planning Board.

21. The MLUL and the Development Regulations provide the Board with the power to grant applications for preliminary and final major site plan if the Applicant complies with the requirements specifically delineated therein.

22. Moreover, the MLUL, at N.J.S.A. 40:55D-70c, provides the Board with the power to grant variances from strict bulk and other non use related issues when an applicant satisfies certain specific proofs which are enumerated in the Statute. Specifically, an applicant may be entitled to relief upon a showing that a strict application and/or interpretation of the applicable zoning ordinances would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the applicant arising out of (i) the exceptional narrowness, shallowness or shape of a specific piece of property; (ii) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or (iii) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon. Additionally, under the (2) criteria, an applicant has the option of showing that in a particular instance relating to a specific piece of property, the characteristics of the specific piece of property are such that they present an opportunity for improved zoning and planning that will benefit the community, and thus the purpose of the MLUL would be advanced by allowing a deviation from the zoning ordinance requirements and the benefits of any deviation will substantially outweigh any detriment. In those instances, a variance may be granted to allow departure from regulations adopted, pursuant to the zoning ordinance.

Those categories specifically enumerated above constitute the affirmative proofs necessary in order to obtain "bulk" or (c) variance relief. Finally, an applicant must also show that the proposed variance relief sought will not cause a substantial detriment to the public good and, further, will not substantially impair the intent and purpose of the zone plan and zoning ordinance. It is only in those instances when an applicant has satisfied both these tests, that a Board, acting pursuant to the Statute and case law, can grant relief. The burden of proof is upon the applicant to establish these criteria.

23. The Board is further granted the power to consider and grant relief from conditions and exceptions from design standards when and if applicable, provided that an applicant has satisfied the Board based upon the presentation of its application. The burden of proof is upon the applicant.

24. Upon review and consideration of the Application, testimony of the Applicant and/or the Applicant's Witnesses, as well as the comments from the Board, the Board's Consultants and the public, the Board finds it has been furnished sufficient information so as to enable it to make an informed decision with regard to the requested development proposal for a preliminary and final major site plan approval and the variance and/or waiver relief. Based upon the testimony and evidence presented it would appear that the proposed Application for the Project is consistent with reasonable planning and development requirements. The Board finds that the requested relief from conditions, variances and/or waivers from zoning and site standards of the Development Regulations, as more specifically set forth during the course of the testimony herein, are reasonable and appropriate for the reasons set forth in the body of this Resolution and in the Reports of the Board's Consultants and/or the Township's Consultants.

~~25. With respect to the negative criteria, the Board concludes that the requested variance and waiver relief sought by the Applicant for the Project may be granted without substantial detriment to the public good, and without substantially impairing the intent and purpose of the zone plan and the Development Regulations of the Township for the reasons set forth within this Resolution, and considering the fact that the proposal is a permitted use in the zone.~~

M. WHEREAS, the Board, having reviewed the proposed Application, and having considered the impact of the proposed Application on the Township and its residents to determine whether it is in furtherance of the MLUL; and having considered whether the Application is conducive to the orderly development of the site and the general area in which it is located pursuant to the Development Regulations of the Township; and

upon the imposition of specific conditions to be fulfilled, hereby concludes that good cause has been shown to approve the Application for a Preliminary and Final Site Plan Approval with Variances and/or Waivers.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Holmdel on this 8th day of September 2015, that Application No. 2015-3 of Cruz Associates, LLC for Preliminary and Final Site Plan Approval with Variances and/or Waivers, to permit the Project, be and the same is hereby approved for the reasons set forth in this Resolution, subject to the following Special Conditions and General Conditions:

SPECIAL CONDITIONS:

1. The Applicant agrees to be bound by all representations and testimony given before the Board.
2. The Property shall be developed in strict compliance with the testimony presented and with the plans and drawings submitted by the Applicant as part of this Application, or as to be revised in accordance with the testimony, comments and conditions contained herein.
3. As agreed, the Applicant shall consult with the Board's Engineer as to striping the parking area prior to construction. The Board's Consultants and Township Engineer determination shall be final.
4. As agreed, the Applicant shall replace the paver walkway from the handicap parking space to the ramp with concrete in accordance with the Development Regulations and ADA regulations.
5. To the extent necessary in accordance with testimony, the Applicant shall amend the plans in accordance with the recommendations in the Board Consultant's Review Letters.
6. The Applicant will provide all other applicable permits and approvals from any other applicable governmental agency having jurisdiction, including but not limited to a letter of no interest from the Monmouth County Planning Board.
7. Except where specifically modified by the terms of this Resolution or as reflected in the record of the proceedings, the Applicant shall comply with all of the conditions and recommendations as set forth in the Reports of the Board's Consultants and Township's professionals and where applicable amend the plans in accordance with the testimony and/or as noted in the reports of the Board's Consultants and submit same for approval of the Board's Consultants.

GENERAL CONDITIONS:

1. Approval of the Application is subject to the accuracy and completeness of the submissions, statements, exhibits and other testimony filed with or offered to the Board in connection with this Application, all of which are incorporated herein by reference and specifically relied upon by the Board in granting this approval. This condition shall be a continuing condition subsequent, which shall be deemed satisfied unless and until the Board determines, on notice to the Applicant, that a breach hereof has occurred.
2. The Applicant shall obtain and maintain the approvals of any and all other governmental or quasi-governmental entities having jurisdiction over the Project and/or Property, and comply with any conditions or requirements of such approvals, including but not limited to, the Holmdel Township/County of Monmouth Board of Health, the Holmdel Township Barrier Free Subcode Official, the Holmdel Township Fire Official, the Holmdel Township Traffic Safety Officer, to the extent applicable the Township/County shade tree committee and the Freehold Soil Conservation District.

3. All real estate taxes and other municipal charges shall be current through the date any and all permits or other approvals are requested in connection with the Project.

4. The Applicant shall pay all fees and expenses required in connection with the Project, including all the required engineering, legal and other consulting fees incurred by the Board in connection with the Project, the inspection fees by the Township Engineer or other municipal agents or employees.

5. To the extent applicable the Applicant shall enter into and record in the office of the Monmouth County Clerk, and observe all obligations and conditions of a Site Plan Agreement and/or a Developer's Agreement, satisfactory in form to the Township Engineer and Attorney, and accepted by the Township. The Applicant shall also deliver to the Board a recorded copy of the aforesaid Agreements.

6. The Applicant shall post and maintain all cash, performance, maintenance and other required bonds required by the Township in amounts, form and substance as shall be approved by the Township Attorney and Township Engineer, and accepted by the Township.

7. To the extent applicable, the Applicant shall comply with the Development Fee Ordinance of Chapter 14, Housing, of the Code of the Township of Holmdel. The intent of this condition is to insure that an appropriate Mount Laurel contribution is made by the Applicant as may be required under the Ordinance. This obligation shall be set forth in a Developer's Agreement referenced in General Condition 5.

8. To the extent applicable, copies of letters of intent to provide service, for all utilities shall be provided, including gas, water, electric, cable and telephone.

9. Prior to the signing of any map, plat, permit or construction plan, the Applicant shall satisfy those conditions deemed appropriate by the Township.

10. To the extent applicable, all conditions of this approval shall continue to be binding upon the Applicant and all successors of the Property.

11. In the event of a violation of any of the foregoing conditions, the Board may take such action as it may deem appropriate, including but not limited to, compelling the Applicant to take certain actions or restore certain conditions with respect to the Property as contemplated by this approval. The Applicant shall cure such violations forthwith.

12. The Applicant acknowledges that this Resolution is contingent upon the Applicant submitting to the Board, all revised plats, maps, reports or other data containing any applicable additions or corrections specified in the record of the proceedings and/or the reports of the Board's Consultants and/or Township's professionals, agencies, commissions or staff. No construction permit shall be issued nor shall any further action whatsoever be taken as to this Application until this condition is met. The Applicant further acknowledges that pursuant to the MLUL, this Approval shall expire as prescribed in the MLUL, unless extended in accordance with any applicable provision of the MLUL.

~~13. Prior to the signing of final plans, the issuance of any construction permits or the start of any construction, the Applicant shall submit one (1) standard Autocad, DWG or .DXF file copy on 3 1/2 inch diskette, CD or in such other format as may be accepted by the Board and Township, of the final layout plan and/or final plat. The Autocad file shall be used for Township purposes only. The file shall include the following minimum information:~~

- a. Location and distances of all existing and proposed Property lines;
- b. Location of all existing and proposed easements;

- c. Existing and proposed roadways (edge of pavement and/or curb);
- d. Location of all existing and proposed sanitary and storm sewers;
- e. All existing and proposed Block and Lot numbers;

All line and text elements shall be on separate layers, and all the above items shall be on separate layers. Each diskette and/or CD shall be labeled with the name of the Subdivision and/or Site Plan, the name of the Applicant and the tax map block and lot numbers for future identification.

BE IT FURTHER RESOLVED, that the Board Secretary is hereby authorized and directed to cause a notice of this Resolution to be published in the *Asbury Park Press* at the Applicant's expense and to send a certified copy of this Resolution to the Applicant and to the Township Clerk, the Township Engineer, and the Township Assessor and make same available to all other interested parties.

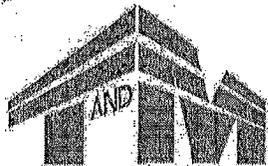


Thomas King, Chairman
Planning Board of the Township of Holmdel

I hereby certify this to be a true and accurate copy of a Resolution duly adopted by the Planning Board of the Township of Holmdel, Monmouth County, New Jersey, at a public meeting held on September 8, 2015.

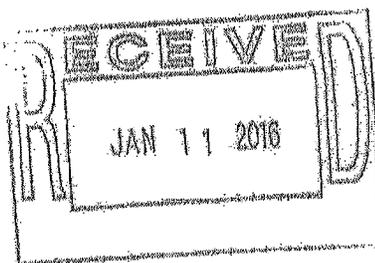


Bonnie Imposimato, Secretary/Administrative Officer
Planning Board of the Township of Holmdel



YOUR GOALS. OUR MISSION.

HOPB-R2390



January 6, 2016

Ms. Maureen Doloughy
Township Clerk
Township of Holmdel
4 Crawford's Corner
Holmdel, NJ 07733

Re: Cruz Associates, LLC
Preliminary and Final Minor Site Plan
Block 11.01, Lot 10 - 59 Main Street
Performance Guarantee Estimate

Dear Ms. Doloughy:

As requested, I have prepared and attached the performance guarantee estimate for the referenced project. Pursuant to Chapter 30.13.2 of the Holmdel Township Development Regulations, 10 percent of the performance guarantee must be in the form of cash in the amount of \$2,397.60. The remaining 90 percent of the guarantee, \$21,578.40, should either be certified check, bank money order or a form of surety acceptable to the Township.

Pursuant to the Holmdel Development Regulations, Chapter 30.13.3, inspection fees in the amount of \$999.00 must also be posted in cash. I recommend the above referenced bond and inspection fee be posted prior to the onset of construction.

The applicant is advised, by copy of this letter, of Ordinance 30.13.3, which requires the applicant to arrange a preconstruction conference with the applicant, contractor, and municipal engineer in advance of the start of construction.

If you have any questions or require additional information, please call.

Very truly yours,

Edward C. Broberg
EDWARD C. BROBERG, P.E.
HOLMDEL TOWNSHIP ENGINEER

EGB:BLH:EST:dk

Enclosure

cc: Martin F. Pfleger, Planning Board Attorney
Jennifer C. Beahm, Planning Board Planner
Bonnie Imposimato, Planning Board Secretary
Donna Vietro, Township Administrator
Cruz Associates, LLC
Simone Vaccaro, Sr. Permit Coordinator, Maser Consulting
Salvatore Alfieri, Cleary Jacobbe Alfieri Jacobs, LLC
Justin Yost, Maser Consulting, jyost@maserconsulting.com

HAHOPBAR2390\Correspondence\Doloughy_BLM_Cruz Associates, LLC Performance Guarantee Estimate.doc

 11 TINDALL ROAD MIDDLETOWN, NJ 07748	PERFORMANCE GUARANTEE AND INSPECTION ESCROW ESTIMATE		
	TITLE: NAME OF PROJECT		
	BLOCK: 11.01 LOT: 10		AMOUNT: \$23,976.00
	JOB NUMBER: HOPB-R2390	BY: EST	APPLICANT: CRUZ ASSOCIATES, LLC
	DATE: 1/6/2015	59 MAIN STREET	
MUNICIPALITY: TOWNSHIP OF HOLMDEL	HOLMDEL, NJ 07733		

Item No.	ITEM DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL COST	WORK COMPLETE	COST BALANCE	BOND AMOUNT
DEMOLITION AND SITE PREPARATION								
1	TREE REMOVAL	2	EA	\$750.00	\$1,500.00	0%	\$1,500.00	\$1,800.00
2	REMOVE BRICK PAVEMENT SIDEWALK	10	LF	\$5.00	\$50.00	0%	\$50.00	\$50.00
3	SUBBASE PREPARATION	180	SY	\$1.00	\$180.00	0%	\$180.00	\$216.00
ASPHALT AND CONCRETE WORK								
4	CONCRETE SIDEWALK 4" THICK	75	SF	\$7.00	\$525.00	0%	\$525.00	\$630.00
5	CRACK SEAL	176	LF	\$3.00	\$528.00	0%	\$528.00	\$590.00
SITE ITEMS								
6	WOOD ADA RAMP	1	LS	\$12,000.00	\$12,000.00	0%	\$12,000.00	\$14,400.00
7	WOOD STAIRS	1	LS	\$1,400.00	\$1,400.00	0%	\$1,400.00	\$1,680.00
8	TRAFFIC SIGN	1	EA	\$260.00	\$260.00	0%	\$260.00	\$320.00
9	ADA SIGN	1	EA	\$260.00	\$260.00	0%	\$260.00	\$300.00
10	TRAFFIC STRIPING 4" WIDE	400	LF	\$1.00	\$400.00	0%	\$400.00	\$480.00
LANDSCAPE AND LIGHTING								
11	SOLAR LIGHT	2	EA	\$600.00	\$1,200.00	0%	\$1,200.00	\$1,440.00
12	WALL MOUNTED LIGHT	1	EA	\$600.00	\$600.00	0%	\$600.00	\$600.00
SOIL EROSION CONTROL								
13	PERMANENT - TOPSOILING 4" THICK	60	SY	\$4.00	\$240.00	0%	\$240.00	\$288.00
14	PERMANENT - FERTILIZE AND SEED	30	SY	\$1.25	\$37.50	0%	\$37.50	\$45.00
15	PERMANENT - STRAW MULCH 1.5" THICK	30	SY	\$0.76	\$22.80	0%	\$22.80	\$27.00
16	TEMPORARY - SEEDING	180	SY	\$0.76	\$136.80	0%	\$136.80	\$162.00
17	TREE PROTECTION FENCE	60	LF	\$2.26	\$135.60	0%	\$135.60	\$162.00
TOTAL =					\$19,980.00		\$19,980.00	\$23,976.00
							10% CASH PORTION =	\$2,397.60
							80% BOND PORTION =	\$21,578.40
							5% INSPECTION ESCROW =	\$999.00

- Notes:**
- EROSION/SLOPE CONTROL MEASURES TO BE OBSERVED BY THE DEVELOPER TO CONTROL SILTATION IN ACCORDANCE WITH THE FREEHOLD SOIL CONSERVATION DISTRICT CERTIFIED PLAN AND PROVISIONS OF THE SOIL EROSION AND SEDIMENT CONTROL ACT, AND/OR AS DIRECTED BY THE MUNICIPAL ENGINEER AT THE TIME OF CONSTRUCTION.
 - ADDITIONAL DRAINAGE MAY BE REQUIRED AT THE TIME OF CONSTRUCTION DUE TO FIELD CONDITIONS OR AS DIRECTED BY THE MUNICIPAL ENGINEER.
 - THIS ESTIMATE IS BASED ON PLANS TITLED MINOR SITE PLAN FOR CRUZ ASSOCIATES, LLC PREPARED BY JUSTIN YOST C/MASER CONSULTING, P.A. DATED 4/10/14. LAST REVISED 7/6/16. CONSISTING OF 1 SHEET.



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

06-03003795

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them.

does hereby make, constitute and appoint **Joseph W Mallory, Pamela J Boyle, Robert E Culnen, Lisa Nosal, Louis A Vlahakes, Stephanie F Foy**

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. **No one bond to exceed Five Million Dollars (\$5,000,000.00)**

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977:

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof, such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 8th day of January, 2016.

NGM INSURANCE COMPANY By:

Bruce R Fox
Vice President, General
Counsel and Secretary



State of Florida,
County of Duval

On this January 8, 2016, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R Fox of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid; that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 8th day of January, 2016.



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida, this 21st day of September, 2016.

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM ALIABILITY of the attached bond please call 1-800-225-5646

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431. Auto Bond Claims.





THE MAIN STREET AMERICA GROUP



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 10, 2016, the following officers were elected and remain in office:

THOMAS M. VAN BERKELCHAIRMAN OF THE BOARD, PRESIDENT AND CHIEF EXECUTIVE OFFICER
 EDWARD J. KUHL.....EXECUTIVE VICE PRESIDENT, CHIEF FINANCIAL OFFICER & TREASURER
 JEFFREY B. KUSCH, DAVID S. MEDVIDOFSKY,
 MICHAEL D. LANCASHIRE, SENIOR VICE PRESIDENTS
 BRUCE R FOXVICE PRESIDENT, GENERAL COUNSEL & SECRETARY
 DANIEL J. GAYNOR, NANCY GIORDANO-RAMOS, JANET M. ROOT
 JOHN THOMPSON, ROBERT HETZEL, DEBORAH E. MURPHY,..... VICE PRESIDENTS
 AMY J. FREDERICK.....VICE PRESIDENT & CHIEF INFORMATION OFFICER
 THOMAS T. FRAZIER.....VICE PRESIDENT & CHIEF INVESTMENT OFFICER
 DEAN P. DORMAN..... VICE PRESIDENT & CHIEF ACTUARY
 CATHERINE PARRISH, DEBRA POSPIEL, DEBORAH COHEN-JANSEN,
 LISA MURMAN, RONALD PROFAIZER, DARRYL OSMAN..... ASSISTANT VICE PRESIDENTS
 TIMOTHY O. MUZZEY ASSISTANT VICE PRESIDENT/ACTUARY
 KIMBERLY K. LAW, MARK FRIEDLANDER, KATHLEEN KILLGORE, NANCY PALMISANO,
 MICHELE SEYMOUR, ALICE MORIARTY, JEFFREY PRICE, DANIEL BLAU,
 JANE MCPHERSON, DEANA PESSINA, SCOTT SIMMONS..... ASSISTANT SECRETARIES

REGIONAL PRESIDENTS (Appointed)

MARK BERGER..... REGIONAL PRESIDENT, NORTHEAST REGION
 STEVE BERRYREGIONAL PRESIDENT, NEW ENGLAND REGION
 CHRISTOPHER COX.....REGIONAL PRESIDENT SOUTHEAST REGION
 TIFFANY DALY.....REGIONAL PRESIDENT, MIDWEST REGION

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2015.

ADMITTED ASSETS

Bonds at Amortized Values \$1,397,394,541
 Stocks at Market Value..... 425,235,072
 First Mortgage Loans 15,422,641
 Real Estate..... 4,283,852
 Cash in Office and Banks.....(3,039,296)
 Short Term Investments..... 18,598,980
 Agent's Balance (Less than 90 Days) 218,872,372
 Accrued Interest..... 12,671,289
 Other Assets..... 265,380,357
TOTAL ADMITTED ASSETS..... \$2,344,819,808

LIABILITIES

Reserve for Losses \$637,394,211
 Reserve for Loss Adjustment Expenses 117,616,168
 Reserve for Unearned Premiums..... 461,789,022
 Reserve for Other Underwriting Expenses..... 41,995,393
 Reserve for Taxes, Licenses, and Fees..... 1,660,783
 Loss Drafts in Transit 0
 Other Liabilities 63,726,194
 Total Liabilities 1,324,181,771
 Policyholders' Surplus..... 1,020,638,037
TOTAL..... \$2,344,819,808

Securities as deposited by law, included above = \$ 8,000,923

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

"The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on
 this 14th day of March, 2016

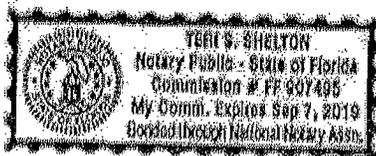
IN WITNESS THEREOF I hereunto subscribe
 my name and affix the seal of said company
 this 14th day of March, 2016

[Signature]

[Signature]
 Nancy Giordano-Ramos



68-1191 (3/16)



TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 8

Meeting Date: October 25, 2016

Subject: Cruz Sewer Performance Cash Bond Release

Submitted by: Maureen Doloughy

Approved by:

RECOMMENDATION

It is recommended that the Committee adopt the Resolution

PREVIOUS ACTION

BACKGROUND

The Engineer has reviewed the site to determine the amount of bondable improvements installed to date. It has been determined that all bondable improvements are installed and the recommendation is that the Performance Cash Bond in the amount of \$2,155.81 be released.

FISCAL IMPACT

None

Attachments:

Resolution
Engineer's letter

RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Performance Cash Bond in the amount of \$2,155.81 posted for Cruz Sewer Project be released subject to the payment of an outstanding engineering inspection fees.

BE IT FURTHER RESOLVED that since the project is more than two years old the posting of a two year Maintenance Bond is waived in accordance with the Engineer's letter dated October 20, 2016.

CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on October 25, 2016

Maureen Doloughy, RMC
Township Clerk



YOUR GOALS. OUR MISSION.

HOLM-G1601

October 20, 2016

Maureen Doloughy
Township Clerk
Township of Holmdel
4 Crawford's Corner Road
Holmdel, NJ 07733

**Re: Cruz Sewer – PCP-0003
Performance Cash Bond Release Request**

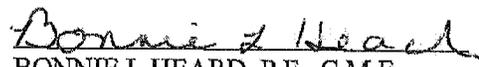
Dear Ms. Doloughy:

As requested, we have reviewed our files to determine the status of the Performance Bond posted in conjunction with the Cruz Sewer project. Since all of the bonded improvements have been installed, we recommend that the Performance Cash Bond in the amount of \$2,155.81 be released by formal Resolution, subject to the payment of any outstanding engineering inspection fees. Finally, since the project is more than 2 years old, we recommend that posting of a two-year Maintenance Bond be waived by formal Resolution.

If you have any questions or require additional information, please call.

Very truly yours,

EDWARD G. BROBERG, P.E.
HOLMDEL TOWNSHIP ENGINEER


BONNIE L HEARD, P.E., C.M.E.
SUPERVISING ENGINEER

EGB:BLH:EST:dk

c: Donna Vieiro, Township Administrator
Jeanette Larrison, Chief Financial Officer
Duane Davison, Esq., Township Attorney's Office

H:\HOLM\G1601\Correspondence\Doloughy_EGB_Performance Guarantee Release_Cruz Sewer.docx