

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2017-065

Council Meeting Date: 02-15-2015

Date Adopted: 02-15-2017

TITLE: RESOLUTION AUTHORIZING THE PARTIAL RELEASE OF CASH PERFORMANCE GUARANTEE TO PARISI BUILDERS AND DEVELOPERS, LLC FOR FAIRVIEW AVENUE BLOCK 194 LOT 31

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the Board of Adjustment approved the application of Parisi Builders, LLC, memorialized by resolution 2016-04 on January 11, 2016; and

WHEREAS, Parisi Builders, LLC, posted \$21,862.80 as Cash Performance Guarantee for Board of Adjustment subdivision and variance approval; and

WHEREAS, Parisi Builders, LLC have requested partial release of the cash performance guarantee, for the 2015 Board of Adjustment application for the property known as 52 Fairview Avenue, in the amount of \$9,980.40; and

WHEREAS, the Borough Engineer advises that work has been completed to the satisfaction of the Engineering Department and the Planning and Development Department to allow for the return of \$9,980.40 of the Cash Performance Guarantee. The remaining \$11,882.40 of the Cash Performance Guarantee shall kept by the Borough until additional work is completed and approved by the Engineering and Construction Department; and

WHEREAS, Paris builders, LLC has posted a two year Cash Maintenance Guarantee in the amount of \$1,247.55, in accordance with the Engineers recommendation; and

WHEREAS, the Borough Engineer recommends the partial release of a portion of the Cash Performance Guarantee for the 2015 Board of Adjustment application for Parisi Builders, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence, in the County of Union and State of New Jersey, that they do hereby authorize the partial release of the Cash Performance Guarantee in the amount of \$9,980.40 to Paris builders, LLC.

APPROVED, this 15th day of February, 2017.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 15th day of February, 2017

Wendi B. Barry, Borough Clerk

B O R O U G H O F
NEW PROVIDENCE

SETTLED IN 1720

Al Morgan, Mayor
BOARD OF ADJUSTMENT
William Nadelberg, Chairman
Margaret Koontz, Secretary

To: Wendi Barry, Borough Clerk
Borough Council

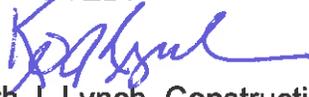
From: Keith J. Lynch, Construction Official
Margaret Koontz, Secretary

Re: Board of Adjustment Application
52 Fairview Avenue Subdivision
52 Fairview Avenue
Block 194, Lot 31

Date: January 23, 2017

The above application came before the Board of Adjustment in 2015 for major subdivision approval with "d" variance for lot area and bulk variances for lot width at setback and steep slope disturbances. This was approved per Resolution 2016-04. The applicant posted the full Performance Bond amount of \$21,862.80 in cash and now seeks a reduction in the bond. The Borough Engineer has reviewed the request and takes no exception to releasing \$9,980.40 of the bond leaving a balance of \$11,882.40. The applicant has posted a two-year Maintenance Bond of \$1,247.55. At this time, \$9,980.40 of the Performance Bond can be released.

APPROVED:


Keith J. Lynch, Construction Official


Margaret Koontz, Secretary

B O R O U G H O F
NEW PROVIDENCE

SETTLED IN 1720

Allen Morgan, Mayor

Andrew R. Hipolit, Borough Engineer

Margaret Koontz, Administrative Assistant

January 17, 2017

VIA E-MAIL

Margaret Koontz
Planning Board Secretary
Borough of New Providence
360 Elkwood Avenue
New Providence, New Jersey 07974

Re: Parisi Builders & Developers, LLC
Bond Reduction Request Review #2
Block 194, Lot 31 - 52 Fairview Avenue
Borough of New Providence
Union County, New Jersey
Our File No. NPZ-534

Dear Ms. Koontz:

Pursuant to your request, this office has performed a Bond Reduction request for the above-referenced Site Plan Application. The Applicant has submitted a letter dated January 8, 2017 contesting items in the bonding estimate. We have reviewed the letter and offer the following response.

Item #2: We agree with the Applicant and have adjusted our calculations, reducing the drop curb by 30 linear feet to 24 linear feet.

Item #4: The apron areas are calculated at approximately 15 SY each. We agree with the Applicant and have reduced the quantity by 6 SY.

Item #6: We disagree with the Applicant regarding this item, and we are not changing this line item. The mill and overlay portion of the bond was for the Pearl Street improvements. Originally the Board wanted the property frontages along Pearl Street milled and paved, but agreed to the Applicant milling a 12 foot wide section at the proposed utility location connection.

Maintenance Bond: We agree and will only require the maintenance bond for Lots 31 and 32. The bond amount has been reduced.

360 Elkwood Avenue ♦ New Providence ♦ NJ ♦ 07974
908-665-1098 ♦ 908-665-8361 (Fax)
www.newprov.org

To: Margaret Koontz, Planning Board Secretary
Re: Our File No. NPZ-534

January 17, 2017
Page 2

The Applicant has posted the full bond amount of \$21,862.80 in the form of cash. The Applicant has requested a reduction in the bond amount, as part of the project has been completed. Please find the revised R.O.W. Improvements Cost Estimate (attached) for the site work. We have reviewed the As-Built Surveys for Lots 31 and 32 and find the improvements have been installed in substantial conformance with the approved plans.

Therefore, we take no exception to releasing \$9,980.40 to the owner, leaving a remaining balance of **\$11,882.40**. The Applicant shall post a two-year maintenance bond of **\$1,247.55** beginning the date of this letter for the improvements installed along Fairview Avenue.

Please contact our office if you should have any further questions.

Very truly yours,



Michael O'Krepky, P.E., C.M.E.

MJO/tva

Attachment

cc: Zoning Board of Adjustment (via Secretary)
Keith Lynch, Building Official (via e-mail)
Wayne Parisi (via email)

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Engineers Construction Cost Estimate
 Project Name: Fairview
 Project Number: NPZ-534
 Township: New Providence County: Union
 Date: January 17, 2017
 Prepared By Maser Consulting

	Description	Unit	Quantity	Unit Cost	Total
1	Remove Curbing	L.F.	16	\$ 5.00	\$ 80.00
2	Block Drop Curb	L.F.	24	\$ 28.00	\$ 672.00
3	Block Vertical Curb	L.F.	0	\$ 25.00	\$ -
4	Asphalt Driveway Apron	SY	30	\$ 45.00	\$ 1,350.00
5	Pavement Trenching/Utility Connections	PER LOT	2	\$ 1,000.00	\$ 2,000.00
6	Mill & Overlay	SY	55	\$ 50.00	\$ 2,750.00
7	Saw Cutting	LF	80	\$ 4.25	\$ 340.00
8	Site Mobilization	LS	0.5	\$ 1,500.00	\$ 750.00
9	Removal of Trees in R.O.W (6-12")	EA	3	\$ 240.00	\$ 720.00
10	Removal of Trees in R.O.W (13-24")	EA	1	\$ 640.00	\$ 640.00
11	6" Overflow Pipe	LF	20	\$ 5.00	\$ 100.00
12	Soil Movement	LS	1	\$ 500.00	\$ 500.00
Original Bond Estimate, March 18, 2016					\$ 18,219.00
R.O.W. Improvements Cost Estimate					\$9,902.00

Performance Bond (120%)	\$ 11,882.40
Bond	\$ 10,694.16
Cash (10%)	\$ 1,188.24
Maintenance Bond for Pearl Street Improvements	\$ 1,485.30

R.O.W Improvements Completed	\$ 8,317.00
Maintenance Bond on Completed Lot 31 & 32	\$ 1,247.55

B O R O U G H O F
NEW PROVIDENCE

SETTLED IN 1720

Allen Morgan, Mayor

Andrew R. Hipolit, Borough Engineer

Margaret Koontz, Administrative Assistant

January 17, 2017

VIA E-MAIL

Margaret Koontz
Planning Board Secretary
Borough of New Providence
360 Elkwood Avenue
New Providence, New Jersey 07974

Re: Parisi Builders & Developers, LLC
As-built Compliance Review
Block 194, Lot 31 - 52 Fairview Avenue
Borough of New Providence
Union County, New Jersey
Our File No. NPZ-534

Dear Ms. Koontz:

Pursuant to your request, this office has performed an As-built Compliance Review for the above-referenced Site Plan Application. We performed a site inspection for the above-referenced property on Tuesday December 22, 2016 and reviewed the following document:

1. Memorandum from Anthony Carnevale Jr., Dept. Wastewater Operations to Construction/Zoning Re: Permeant sewer cap/sewer tie-in – 52 Fairview Rd, dated June 22, 2016.

At this time, we find that the Applicant has constructed the site improvements in substantial conformance with the approved site plan, and we recommend the Building Department issue a Certificate of Occupancy.

Please contact our office if you should have any further questions.

Very truly yours,



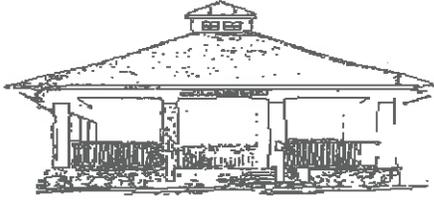
Michael O'Krepky, P.E., C.M.E.

MJO/tva

cc: Zoning Board of Adjustment (via Secretary)
Keith Lynch, Building Official (via e-mail)
Wayne Parisi (via email)

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RECEIVED
JAN 12 2017

NEW PROVIDENCE
PLANNING BOARD

BOROUGH OF
NEW PROVIDENCE
SETTLED IN 1720

MEMORANDUM TO: Construction/Zoning

FROM: Anthony Carnevale Jr., Dept. Wastewater Operations

SUBJECT: Permeant sewer cap/ sewer tie-in - 52 Fairview Rd

DATE: June 22, 2016

Our department inspected the permeant capping of the old sewer lateral at 52 Fairview Ave, Block 194 Lot 8 and has found it to be satisfactory.

A new service lateral was connect to the Borough sewer main and was inspected by our department and found to be satisfactory.

If you have any questions regarding this matter, please feel free to contact me



63 Bristol Court
Berkeley Heights, New Jersey 07922
Phone (973) 715-8371
Fax (908) 219-4751

Margaret Koontz
Planning Board Secretary
Borough of New Providence
360 Elkwood Avenue
New Providence, N.J. 07940

January 8, 2017

Re: Bond Reduction
Block 194, Lot 31
Fairview Avenue
Borough of New Providence
File No. NPZ-534



Dear Ms Koontz,

We are in receipt of Michael O'Krepkys letter of January 6, 2017. We have made a second request for documentation on the approval of the sanitary sewer @ 52 Fairview Avenue directly to the Department of Public works.

We are also not agreeable with the following bond reduction and terms:

Bond Calculations originally Supplied By Borough (see attached)

#2 Block drop curb was not reduced. The 54 feet represented two dropped curbs on Fairview of 16' and 14' and the two on Pearl which are 12' each. $16+14+12+12 = 54$ feet (originally bonded) The bond should be reduced from 54' to 24' (left to do on Pearl)

#4 Asphalt Driveway Aprons The Bond item was reduced by approximately 38% on the 4 driveway aprons. 2 aprons have been completed and are larger than the aprons left to do on Pearl Street. The curb cuts/aprons on Fairview are 16' and 14'; the curb cuts on Pearl are 12' and 12' Please recalculate the reduction amount.

#6 Mill, Overlay

Please recheck your calculations. Milling and overly was required only in the areas of disturbance in the road way or if the base and top coat wasn't replaced.

Lastly per the last paragraph of my letter of October 31, 2016

"As stated in the Boroughs letter of March 18, 2016 item number 3, we are prepared to post the maintenance Bond however the amount will only reflect 15% of the approved bond reduction determined by the Borough. Thank you. Your attention to this matter is greatly appreciated. "

The maintenance bond should be calculated based on the bond reduction amount x 15% not the entire bond. The \$2,732.85 stated in your letter is based on the entire bond. When the balance of

the improvements are completed and bond balance be requested to be released is when the balance of the maintenance bond will be posted.

Respectfully,

A handwritten signature in black ink, appearing to read 'Wayne Parisi', with a long horizontal stroke extending to the right.

Wayne Parisi
Member

cc: Keith Lynch, Building Official (via hand delivery)

Engineers Construction Cost Estimate

Project Name: Fairview

Project Number: NPZ-534

Township: New Providence County: Union

Date: March 18, 2015

Prepared By Maser Consulting

	Description	Unit	Quantity	Unit Cost	Total
1	Remove Curbing	L.F.	24	\$ 5.00	\$ 120.00
2	Block Drop Curb	L.F.	54	\$ 28.00	\$ 1,512.00
3	Block Vertical Curb	L.F.	120	\$ 25.00	\$ 3,000.00
4	Asphalt Driveway Apron	SY	58	\$ 45.00	\$ 2,610.00
5	Pavement Trenching/Utility Connections	PER LOT	4	\$ 1,000.00	\$ 4,000.00
6	Mill & Overlay	SY	55	\$ 50.00	\$ 2,750.00
7	Saw Cutting	LF	124	\$ 4.25	\$ 527.00
8	Site Mobilization	LS	1	\$ 1,500.00	\$ 1,500.00
9	Removal of Trees in R.O.W (6-12")	EA	4	\$ 240.00	\$ 960.00
10	Removal of Trees in R.O.W (13-24")	EA	1	\$ 640.00	\$ 640.00
11	6" Overflow Pipe	LF	20	\$ 5.00	\$ 100.00
12	Soil Movement	LS	1	\$ 500.00	\$ 500.00

R.O.W. Improvements Cost Estimate \$18,219.00

Performance Bond (120%) \$ 21,862.80
 Bond \$ 19,676.52
 Cash (10%) \$ 2,186.28
 Maintenance Bond (15%) \$ 2,732.85
 Inspection Fees \$ 910.95

Engineers Construction Cost Estimate
 Project Name: Fairview
 Project Number: NPZ-534
 Township: New Providence County: Union
 Date: December 20, 2016
 Prepared By Maser Consulting

	Description	Unit	Quantity	Unit Cost	Total
1	Remove Curbing	L.F.	16	\$ 5.00	\$ 80.00
2	Block Drop Curb	L.F.	54	\$ 28.00	\$ 1,512.00
3	Block Vertical Curb	L.F.	0	\$ 25.00	\$ -
4	Asphalt Driveway Apron	SY	36	\$ 45.00	\$ 1,620.00
5	Pavement Trenching/Utility Connections	PER LOT	2	\$ 1,000.00	\$ 2,000.00
6	Mill & Overlay	SY	55	\$ 50.00	\$ 2,750.00
7	Saw Cutting	LF	80	\$ 4.25	\$ 340.00
8	Site Mobilization	LS	0.5	\$ 1,500.00	\$ 750.00
9	Removal of Trees in R.O.W (6-12")	EA	3	\$ 240.00	\$ 720.00
10	Removal of Trees in R.O.W (13-24")	EA	1	\$ 640.00	\$ 640.00
11	6" Overflow Pipe	LF	20	\$ 5.00	\$ 100.00
12	Soil Movement	LS	1	\$ 500.00	\$ 500.00

R.O.W. Improvements Cost Estimate \$11,012.00

Performance Bond (120%) \$ 13,214.40
Bond \$ 11,892.96
Cash (10%) \$ 1,321.44



63 Bristol Court
Berkeley Heights, New Jersey 07922
Phone (973) 715-8371
Fax (908) 219-4751

Margeret Koontz
Planning Board Secretary
Borough of New Providence
360 Elkwood Avenue
New Providence, N.J. 07974

January 19, 2017

Re: Partial Bond Release
Block 194 Lot 31
52 Fairview Avenue
Borough of New Providence
File # NPZ-534



Dear Ms. Koontz,

With regards to the Boroughs letter of January 17, 2017 please find enclosed a check payable to the Borough of New Providence in the amount of \$1,247.55 for the two year maintenance bond on the bond portion to be refunded. Your attention to this matter is appreciated. Thank you.

Respectfully,

Wayne Parisi
Member

via: hand delivery