

RESOLUTION NO. 2018-124

WHEREAS, Har-Beau Enterprises/Louis Granata, Esq. has requested release of performance guarantees posted on property located on 553 S. Atlantic Avenue, Block 66, Lot 10 on the Official Tax Map of the Township of Aberdeen; and

WHEREAS, the Township Engineer has performed an inspection of the improvements and has made a recommendation in a letter dated October 8, 2018 for a reduction of said bond.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that the Performance Guarantees – Letter of Credit 0280005257 in the amount of \$30,706.56, Letter of Credit 0280005265 in the amount of \$12,441.78 and cash bond in the amount of \$3411.84 be reduced to \$5,000.00 in accordance with the October 8, 2018 recommendation of the Township Engineer.

BE IT FURTHER RESOLVED that the reduction of the aforesaid bond is subject to the payment of any outstanding inspection and professional fees and concurrence by the Township Manager and Township Attorney.

All resolutions or part of resolutions inconsistent herewith are hereby repealed.

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



October 8, 2018

TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

Ms. Karen Ventura, Township Clerk
Township of Aberdeen
One Aberdeen Square
Aberdeen, NJ 07747

**Re: Release of Standby Letters of Credit
Har-Beau Enterprises
553 S. Atlantic Ave
Block 66, Lot 10
Case No. SD 03-105
Our File No. PABP0066.04**

Dear Ms. Ventura:

Please be advised that at the request of Salvatore Longette of Har-Beau Enterprises LLC, we have reviewed our files relative to the release of the two (2) Irrevocable Standby Letters of Credit that First Constitution Bank (formerly Rumson-Fairhaven Bank) is holding.

Based upon a review of our files and a field visit on September 20, 2018 it appears that the landscape buffering that has been planted along the property line of Lot 12 are distressed and do not appear to be 6'-7' feet in height as required on the approved plans.

Therefore, after a discussion with Township Staff, our office recommends that the Letters of Credit get reduced to \$5,000.00 in order to ensure the landscaping gets replaced and installed at the correct height as per the approved plans. Once the \$5,000.00 Letter of Credit is posted, the original Letters of Credit can be released at that time.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Anthony Abbonizio Jr., P.E.
Office of the Township Engineer

AA

cc: Mayor Fred Tagliarini
Holly Reycraft, Township Manager
Maxine Rescorl, Board Secretary

LOUIS E. GRANATA

LOUIS E. GRANATA, P.C.
ATTORNEY AT LAW
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(732) 583-3636
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August 17, 2018

Anthony Abbonizio, Jr.
CME Associates
3141 Bordentown Ave.,
Parlin, N.J. 08859

Re: Har-Beau, South Atlantic Ave, Aberdeen
Lot 10, Block 66
Project # PABPO066.04

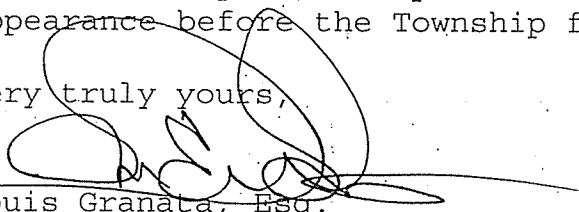
Dear Mr. Abbonizio:

I represent the Developer, Har-Beau Enterprises, LLC in the above matter.

My client informs me you are withholding the release of bonds for the project, despite the fact that it has complied with all conditions of approval, and changes you authorized. During the month of October 2017, you made a site visit to review the final landscaping prior to the bond release and accepted the plantings. Although you were there for approximately ten (10) minutes, you charged him 269.50 for as 1.75-hour inspection. My client paid the bill, but to date you have refused to provide your certification to the Township to release the bond, nearly one year after your inspection.

Please provide me with an explanation of why you have refused to allow the release of the Bond. If you fail to respond within ten day of receipt of this letter, I shall request an appearance before the Township for an explanation.

Very truly yours,


Louis Granata, Esq.

LEG/df

cc: Client
Township of Aberdeen

Har.Beau.Bondrel.ltr