

RESOLUTION
TOWNSHIP OF FRANKLIN
TO AUTHORIZE THE TOWNSHIP SOLICITOR TO TAKE LEGAL ACTION ON THE
BONDS POSTED FOR A PROJECT KNOWN AS FLORAWOOD COUNTRY ESTATES
R-107-2014

WHEREAS, the Township Engineers, Adam Rehmann and Heggan, as conducted an investigation with reference to a residential development in the Township of Franklin known as Florawood Country Estates, located on Porchtown-Williamstown Road between Sunny Hill Avenue and Penny Street, Block 301, Lots 14 and 15; and

WHEREAS, it appears that the infrastructure of the development is incomplete including storm water management basins, certain roadway improvements, lighting and signage, landscaping, and other site amenities are incomplete and are in a state of disrepair and not functioning in accordance with the required plans and specifications; and

WHEREAS, a requirement of the approvals granted to the developer, Piersol Homes at Florawood Estates, LLC, is the creation of a homeowners association and its governing documents have not been formed or documents prepared or submitted to the Planning Board or the Township Solicitor for review and approval, and it appears that a homeowners' association has not been properly formed to be responsible for the open space and storm water management basins as required by the approvals; and

WHEREAS, a performance bond was posted for the performance of the developer, with said bonding company being American Southern Insurance Company Bond Number B98816012508 dated May 17, 2005; and

WHEREAS, with certain bond reductions there remains on said bond the sum of \$197,433.60; and

WHEREAS, the developer, Piersol Homes, has failed and refused to complete the site and infrastructure improvements required by the approvals granted to it by the Franklin Township Planning Board, by way of Franklin Township Resolution Number PBM05-2, and the approved plans and specifications for the project; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, that the Township Solicitor is hereby authorized to pursue an action against the developer, Piersol Homes, and the bonding company, American Southern Insurance Company, to secure the completion of the site improvements and infrastructure improvements at the development known as Florawood Country Estates, and/or to obtain the remaining amount on Bond Number B98816012508 to be used to complete said improvements.

ADOPTED at a regular meeting of the Township Committee of the Township of Franklin on Tuesday, June 24, 2014.

Attest:

Township of Franklin

Barbara Freijomil, Clerk

Edward Leopardi, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a regular meeting held on Tuesday, June 24, 2014.

Barbara Freijomil, Clerk