

CITY COUNCIL

The City of Orange Township, New Jersey

DATE December 6, 2022

NUMBER 476-2022

TITLE: A RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP AUTHORIZING A RELEASE OF A PERFORMANCE BOND TOTALING \$78,039.55, PROVIDED BY PEEK REOCK I OWNER URBAN RENEWAL LLC IN CONNECTION WITH CONSTRUCTION OF A MULTI-UNIT RESIDENTIAL DEVELOPMENT AT BLOCK 2804, LOTS 1, 2, 9, 10 AND 11, COMMONLY KNOWN AS 258-276 REOCK STREET, ORANGE, NEW JERSEY.

WHEREAS, PEEK Reock I Owner Urban Renewal LLC (“PEEK”) posted a performance bond totaling \$78,039.55 (“Performance Bond”) in connection with construction of a multi-unit residential development located at Block 2804, Lots 1, 2, 9, 10 and 11 on the official tax maps of the City of Orange Township (“City”), commonly known as 258-276 Reock Street, Orange, New Jersey (“Property”); and,

WHEREAS, the Performance Bond was received by the City’s Department of Finance; and,

WHEREAS, Remington & Vernick Engineers (“City Engineers”) inspected the Property and found the bonded improvements in satisfactory condition; and,

WHEREAS, based on the inspections, the City Engineers recommend that the City release the Performance Bond to PEEK; and,


WHEREAS, PEEK has submitted a 2-year public facilities maintenance guarantee in the amount of \$7,948.62, a 2-year landscape buffer maintenance guarantee in the amount of \$963.00, and a 2-year stormwater management maintenance guarantee in the amount of \$7,948.62, as recommended by the City Engineer as a condition for release of the Performance Bond.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Orange Township, that the proper officers of the City are hereby authorized and directed to release the Performance Bond, totaling \$78,039.55 to PEEK with respect to the Property.

Adopted: **December 6, 2022**

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President



Tency A. Eason





One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

November 14, 2022

Ms. Laquana T. Best, Director of Planning & Economic Development
City of Orange Township
29 North Day Street
Orange, New Jersey 07050

Re: **City of Orange Township**
Orange Crossing I
258-276 Reock Street (Block 2804, Lot 1,2,9,10,11)
Final Certificate of Occupancy
RVE No. 0717-I-006

Dear Ms. Best:

We have conducted an inspection of the improvements at the above captioned project. Based upon our investigation, our office has no objection to the issuance of a Final Certificate of Occupancy for the subject structure.

Should you have any questions, please do not hesitate to contact Mr. Derek Dorrah of our office at (201) 624-2137 ext. 1195.

Sincerely,

REMINGTON & VERNICK ENGINEERS, INC.

Joseph P. Barbadoro, PE
Project Manager & Engineer

Douglas M. Johnson, PE, CME, CPWM
Senior Associate

Cc: Christopher Hartwyk, Business Administrator
Marty Mayes, Director of Public Works & Engineering
Ellie Serrano, Department of Public Works
Paul Arthur, Construction Official (parthur@orangenj.gov)
Gracia Robert Montilus, City Attorney
Emanuel Klein, Peek Properties
Derek Dorrah, RVE
Hasson Shipman, RVE



One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

October 14, 2022

Mr. Adrian O. Mapp, Director of Finance/QPA
City of Orange Township
29 North Day Street
Orange, New Jersey 07050

**Re: City of Orange Township
Orange Crossing I
258-276 Reock Street (Block 2804, Lot 1,2,9,10,11)
Performance Guarantee Release
RVE No. 0717-I-006**

Dear Mr. Mapp:

Upon the request of the Applicant, Remington & Vernick Engineers made the necessary inspection of the above captioned project to assess the status of the bonded improvements for the purposes of a Performance Guarantee release. Based upon our investigation, we found the bonded improvements to be in satisfactory condition and have no objections to the release of the following performance guarantees:

Public Facilities Performance Guarantee	\$52,990.80
Landscape Buffer Performance Guarantee	\$6,420.00
Safety and Stabilization Bond	\$18,628.75

The release of the bond and performance guarantees should be subject to the following requirements:

1. Payment of all current charges for professional services.
2. Posting of a two-year public facilities maintenance guarantee in the amount of \$7,948.62.
3. Posting of a two-year landscape buffer maintenance guarantee in the amount of \$963.00
4. Posting of a two-year stormwater management maintenance guarantee in the amount of \$303.60.
5. Review and approval of all documents by the Township Attorney.

Should the Committee act favorably on the Applicant's request, please forward copies of the approving resolution to the Applicant, Construction Code Official, Chief Financial Officer, and this office.

Should you have any questions, please do not hesitate to contact Mr. Derek Dorrah of our office at (201) 624-2137 ext. 1195.

Sincerely,

REMINGTON & VERNICK ENGINEERS, INC.



Joseph P. Barbadoro, PE
Project Manager & Engineer



Douglas M. Johnson, PE, CME, CPWM
Senior Associate

Cc: Christopher Hartwyk, Business Administrator
Nile Clements, CFO
Gracia Robert Montilus, City Attorney
Marty Mayes, Director of Public Works & Engineering
Laquana Best, Director of Planning & Economic Development
Emanuel Klein, Peek Properties

Remington & Vernick Engineers

PERFORMANCE GUARANTEE RELEASE ESTIMATE

DATE: 13-Oct-22

MUNICIPALITY: CITY OF ORANGE
 NAME: ORANGE CROSSING I
 LOCATION: 259-276 REOCK STREET
 BLOCK, LOT: BL 2804; LOT 1,2,9,10,11

TWP. NO.:
 FIN. NO.:
 R&V NO.: 07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	% COMPLETE	AMOUNT REMAINING	GUARANTEE TYPE
EXCAVATION & CLEARING							
3	UNIT	Tree Removal (>24" caliber)	\$1,800.00	\$5,400.00	100%	\$0.00	
SOIL EROSION & SEDIMENT CONTROL							
560	LF	Silt Fence	\$2.50	\$1,400.00	100%	\$0.00	
300	LF	Tree Protection Fence	\$2.50	\$750.00	100%	\$0.00	
1	UNIT	Collar/Stone Inlet Protection	\$150.00	\$150.00	100%	\$0.00	
1	UNIT	Construction Entrance	\$1,500.00	\$1,500.00	100%	\$0.00	
PAVING & CONCRETE							
SURFACE: TON=(SY)*(Inches Thick)*(0.0585)							
BASE: TON=(SY)*(Inches Thick)*(0.0575)							
810	SY	2" Bituminous Surface Course-1	\$10.50	\$8,505.00	100%	\$0.00	
810	SY	4" Stabilized Base	\$20.70	\$16,767.00	100%	\$0.00	
425	SY	4" Dense Graded Aggregate	\$10.00	\$4,250.00	100%	\$0.00	
8810	SY	6" Dense Graded Aggregate	\$12.00	\$105,720.00	100%	\$0.00	
413	SY	4" Concrete Sidewalk-Reinforced	\$73.00	\$30,149.00	100%	\$0.00	Public
12	SY	6" Concrete Driveway Apron	\$81.00	\$972.00	100%	\$0.00	
363	LF	9"x18" Concrete Curbing (Public)	\$30.00	\$10,890.00	100%	\$0.00	Public
2	UNIT	Handicap Ramp, not including curb (Public)	\$1,560.00	\$3,120.00	100%	\$0.00	Public
363	LF	Curb Removal	\$6.00	\$2,178.00	100%	\$0.00	
425	SY	Sidewalk Removal	\$12.00	\$5,100.00	100%	\$0.00	
STORM SEWER							
161	LF	36" High Density Polyethylene Pipe (Perforated)	\$115.00	\$18,515.00	100%	\$0.00	
51	LF	12" PVC Schedule 40	\$73.00	\$3,723.00	100%	\$0.00	
18	CY	Pipe Bedding	\$29.00	\$522.00	100%	\$0.00	
176	CY	Basin Excavation (Off-Site Spoil)	\$11.50	\$2,024.00	100%	\$0.00	Storm
102	CY	Clean Fill	\$23.00	\$2,346.00	100%	\$0.00	
STORM SEWER STRUCTURES							
1	UNIT	Storm Manhole 4' Diameter (0'-6' Depth)	\$4,000.00	\$4,000.00	100%	\$0.00	
1	UNIT	Storm Manhole 4' Diameter (6'-8' Depth)	\$4,500.00	\$4,500.00	100%	\$0.00	
1	UNIT	4'X6' Controlled Outlet Structure	\$4.00	\$4.00	100%	\$0.00	
SANITARY SEWER							
65	LF	6" PVC 0'-7' Deep	\$46.00	\$2,990.00	100%	\$0.00	
WATER MAIN							
115	LF	4" CLDIP	\$70.00	\$8,050.00	100%	\$0.00	
2	UNIT	4" Gate Valves with Valve Box	\$1,500.00	\$3,000.00	100%	\$0.00	
4	UNIT	4" Gate Valves	\$650.00	\$2,600.00	100%	\$0.00	
PLANTING							
7	UNIT	Shade Tree (Public)	\$500.00	\$3,500.00	100%	\$0.00	Buffer
17	UNIT	Shrubs (Public)	\$50.00	\$1,850.00	100%	\$0.00	Buffer

Remington & Vernick Engineers

PERFORMANCE GUARANTEE RELEASE ESTIMATE

DATE: 13-Oct-22

**MUNICIPALITY: CITY OF ORANGE
 NAME: ORANGE CROSSING I
 LOCATION: 238-276 REOCK STREET
 BLOCK , LOT: BL 2804; LOT 1,2,9,10,11**

**TWP. NO.:
 FIN. NO.:
 R&V NO.: 07171006**

QTY	UNIT	ITEM	UNIT COST	PRICE	% COMPLETE	AMOUNT REMAINING	GUARANTEE TYPE
-----	------	------	-----------	-------	------------	------------------	----------------

LIGHTING

13	UNIT	70 Watt Equivalent LED Ceiling Mounted Light	\$450.00	\$5,850.00	100%	\$0.00	
----	------	--	----------	------------	------	--------	--

MISCELLANEOUS

1	UNIT	Handicap Parking Signs w/Van Access	\$288.00	\$288.00	100%	\$0.00	
1	UNIT	Handicap Parking Signs	\$288.00	\$288.00	100%	\$0.00	
2	UNIT	Traffic Control Signs	\$288.00	\$576.00	100%	\$0.00	
2900	LF	Traffic Stripes, Long Life Epoxy Resin, 4" Wide	\$2.00	\$5,800.00	100%	\$0.00	
6	UNIT	Pavement Markings, Symbols	\$58.00	\$348.00	100%	\$0.00	
9	UNIT	Three Level Mechanical Parking	\$30,000.00	\$270,000.00	100%	\$0.00	

TOTALS

	ORIGINAL AMOUNTS	REDUCED AMOUNTS
SUBTOTAL CONSTRUCTION COST:	\$537,625.00	\$0.00
20% CONTINGENCIES:	\$107,525.00	\$0.00
TOTAL CONSTRUCTION COST:	\$645,150.00	\$0.00
5% INSPECTION ESCROW:	\$26,881.25	

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to N.J.S.A. 40:55D-53 h)

Category	Item	Original Amount	Reduced Amount
Public	Public Facilities Performance Guarantee	\$52,990.80	\$0.00
	Public Facilities Maintenance Guarantee	\$7,948.62	\$7,948.62
Buffer	Landscape Buffering Performance Guarantee	\$6,420.00	\$0.00
	Landscape Buffer Maintenance Guarantee	\$963.00	\$963.00
Soil	Safety & Stabilization Guarantee	\$18,628.75	\$0.00
Storm	Stormwater Maintenance Guarantee	\$303.60	\$303.60
TCO	TCO Required Item Guarantee	TBD	TBD

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to N.J.S.A. 40:55D-53 h)

REV. 8-01

This Estimate Of The Costs Of Improvements Has Been Prepared Pursuant To Section 40:55D-53.4 Of The Municipal Land Use Law And Is Based On Documented Construction Cost For Public Improvements Which Preval In The Vicinity Of The Municipality



September 25, 2020

Ms. Laquana T. Best, Deputy Director of Planning & Economic Development
City of Orange Township
29 North Day Street
Orange, New Jersey 07050

**Re: City of Orange Township
Orange Crossing I
258-276 Reock Street (Block 2804, Lot 1,2,9,10,11)
Performance Guarantee Amounts
RVE No. 0717-I-006**

Dear Ms. Best:

For your information, I am enclosing a copy of the cost estimate for the proposed improvements for the above referenced project which conform to the recent change to the Municipal Land Use Law. The following amounts are to be posted:

Public Facilities Performance Guarantee	\$52,990.80
Landscape Buffer Performance Guarantee	\$6,420.00
Safety and Stabilization Bond	\$18,628.75
Street Lighting Guarantee*	\$0.00
Maintenance Guarantee (Public Facilities)	\$7,948.62
Landscape Buffer Maintenance Guarantee	\$963.00
Stormwater Management Maintenance Guarantee	\$303.60
Engineering Inspection Escrow**	\$26,881.25

*May be released when paid contract to utility company is provided.

**\$500.00 minimum, 5% of total Construction Cost

The Public Facilities Performance, Landscape Buffer Performance, Safety and Stabilization and Street Lighting Guarantees must be secured prior to the filing of the subdivision plats, signing of site development plans and/or the issuance of permits.

The Engineering Inspection Escrow must be posted in conformance to the M.L.U.L. prior to the issuance of permits and/or start of any work on the site.

The Maintenance Guarantees must be posted prior to the acceptance of any finished work.

Currently our information indicates that the developer/applicant for this project is PEEK Development, LLC, 59 Main Street, Suite 203, West Orange, NJ 07052

Page 2
City of Orange Township
September 23, 2020

If this information is incorrect, please have the applicant notify our office in writing as soon as possible of the correct address to which copies of our invoices should be sent. **The M.L.U.L. requires the applicant to notify the municipality and the engineer of any changes in ownership of a project.**

The developer must notify our Inspection Department, Senior Inspector, Hasson Shipman for (856) 303-1245, at least three (3) working days in advance of starting work on the site in order to arrange for a preconstruction meeting.

If you have any questions, please do not hesitate to call.

Sincerely,

REMINGTON & VERNICK ENGINEERS



K. Wendell Bibbs, P.E., C.M.E
Executive Vice President

CC: Christopher Hartwyk, Business Administrator
Nile Clements, CFO
Marty Mayes, Director, Planning, Economic Development and Public Works/Engineering
Adrian O. Mapp, Director of Finance
PEEK Development, LLC, Applicant
Inglese Architecture & Engineering, Applicants Architect/Engineer
Joe Barbadoro, RVE
Hasson Shipman, RVE

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20

CITY OF ORANGE
 ORANGE CROSSING I
 258-276 REOCK STREET
 BLOCK 2804, LOTS 1, 2, 9, 10, 11

07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
EXCAVATION & CLEARING					
3	UNIT	Tree Removal (>24" caliper)	\$1,800.00	\$5,400.00	
SOIL EROSION & SEDIMENT CONTROL					
560	LF	Silt Fence	\$2.50	\$1,400.00	
300	LF	Tree Protection Fence	\$2.50	\$750.00	
1	UNIT	Collar/Stone Inlet Protection	\$150.00	\$150.00	
1	UNIT	Construction Entrance	\$1,500.00	\$1,500.00	
PAVING & CONCRETE					
810	SY	2" Bituminous Surface Course-1	\$10.50	\$8,505.00	
810	SY	4" Base Course	\$20.70	\$16,767.00	
425	SY	4" Dense Graded Aggregate	\$10.00	\$4,250.00	
8810	SY	6" Dense Graded Aggregate	\$12.00	\$105,720.00	
413	SY	4" Concrete Sidewalk-Reinforced	\$73.00	\$30,149.00	Public
12	SY	6" Concrete Driveway Apron	\$81.00	\$972.00	
363	LF	9"x18" Concrete Curbing (Public)	\$30.00	\$10,890.00	Public
2	UNIT	Handicap Ramp, including curb (Public)	\$1,560.00	\$3,120.00	Public
363	LF	Curb Removal	\$6.00	\$2,178.00	
425	SY	Sidewalk Removal	\$12.00	\$5,100.00	
STORM SEWER					
161	LF	36" High Density Polyethylene Pipe (Perforated)	\$115.00	\$18,515.00	
51	LF	12" PVC, Schedule 40	\$73.00	\$3,723.00	
18	CY	Pipe Bedding	\$29.00	\$522.00	
176	CY	Basin Excavation (Off-Site Spoil)	\$11.50	\$2,024.00	Storm
102	CY	Clean Fill	\$23.00	\$2,346.00	
STORM SEWER STRUCTURES					
1	UNIT	Storm Manhole 4' Diameter (0'-6' Depth)	\$4,000.00	\$4,000.00	
1	UNIT	Storm Manhole 4' Diameter (6'-8' Depth)	\$4,500.00	\$4,500.00	
1	UNIT	4'X6' Controlled Outlet Structure	\$4,500.00	\$4.00	

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20

**CITY OF ORANGE
ORANGE CROSSING I
258-276 REOCK STREET
BLOCK 2804, LOTS 1, 2, 9, 10, 11**

0717I006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
SANITARY SEWER					
65	LF	6" PVC 0'-7' Deep	\$46.00	\$2,990.00	
WATER MAIN					
115	LF	4" CLDIP	\$70.00	\$8,050.00	
2	UNIT	4" Gate Valves with Valve Box	\$1,500.00	\$3,000.00	
4	UNIT	4" Gate Valves	\$650.00	\$2,600.00	
PLANTING					
7	UNIT	Shade Tree (Public)	\$500.00	\$3,500.00	Buffer
37	UNIT	Shrubs (Public)	\$50.00	\$1,850.00	Buffer
LIGHTING					
13	UNIT	70 Watt Equivalent LED Ceiling Mounted Light	\$450.00	\$5,850.00	
MISCELLANEOUS					
1	UNIT	Handicap Parking Signs w/Van Access	\$288.00	\$288.00	
1	UNIT	Handicap Parking Signs	\$288.00	\$288.00	
2	UNIT	Traffic Control Signs	\$288.00	\$576.00	
2900	LF	Traffic Stripes, Long Life Epoxy Resin, 4" Wide	\$2.00	\$5,800.00	
6	UNIT	Pavement Markings, Symbols	\$58.00	\$348.00	
9	UNIT	Three Level Mechanical Parking	\$30,000.00	\$270,000.00	
TOTALS					

SUBTOTAL CONSTRUCTION COST: \$537,625.00

20% CONTINGENCIES: \$107,525.00

TOTAL CONSTRUCTION COST: \$645,150.00

5% INSPECTION ESCROW: \$26,881.25

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to NJSA 40:55D-53.h)

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20

**CITY OF ORANGE
ORANGE CROSSING I
258-276 REOCK STREET
BLOCK 2804, LOTS 1, 2, 9, 10, 11**

07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
Guarantees:					
	Public	Public Facilities Performance Guarantee		\$52,990.80	
		Public Facilities Maintenance Guarantee		\$7,948.62	
	Buffer	Landscape Buffering Performance Guarantee		\$6,420.00	
		Landscape Buffer Maintenance Guarantee		\$963.00	
	Safety	Safety & Stabilization Guarantee		\$18,628.75	
	Storm	Stormwater Management Maintenance Guarantee		\$303.60	
	TCO	TCO Required Item Guarantee		\$0.00	

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to NJSA 40:55D-53.h)

REV.8-01
 This Estimate Of The Costs Of Improvements Has Been Prepared Pursuant To Section 40:55D-53.4 Of The Municipal Land Use Law And Is Based On Documented Construction Cost For Public Improvements Which Prevail In The Vicinity Of The Municipality

**Bond By: JP
Reduction By:
Estimate #1, Date: 9/17/2020**

**CITY OF ORANGE TOWNSHIP
ORANGE PLANNING BOARD
258-276 REOCK STREET, ORANGE, NEW JERSEY
Block: 2804 Lots: 1, 2, 9, 10 and 11
Case No. 19-06**

RESOLUTION OF MEMORIALIZATION

WHEREAS, PEEK Development LLC (the “Applicant”), filed an application with the City of Orange Township Planning Board (the “Board”), for final major site plan approval for the development of the property located at 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11 City of Orange Township, New Jersey (the “Property”); and

WHEREAS, the Property is located within the City’s Reock Street Redevelopment Plan, Transit Village Center zone; and.

WHEREAS, the Applicant is the duly-designated redeveloper for the Property; and

WHEREAS, the Applicant presented proof that adequate notice of this hearing on this application was published in an official newspaper of this municipality and the notice of the hearing was served on all property owners within 200 feet of the subject property at least ten (10) days before the date set forth for the hearing; and

WHEREAS, the Applicant submitted the following documents and drawings to the Planning Board for consideration:

1. City of Orange Township Planning Board Application for Development submitted July 29, 2019 (with attachments);
2. Signed and Sealed Site and Architectural Plans consisting of seventeen (17) sheets titled, Orange Crossing I, Final Site Plan Submission, Proposed 50-Unit, Multifamily Building, 258-276 Reock Street, Orange, Block: 2804 Lots: 1, 2, 9, 10 & 11, dated July 22-2019, prepared by Inglese Architecture + Engineering.

3. Signed & Sealed Boundary and Topographic Survey consisting of one (1) sheet dated June 10-2019, prepared Michael Pronesti, PLS of Pronesti Surveying, Inc.

WHEREAS, the following reports relevant to this Application by reference and made a part hereof;

1. Completeness Review Letter dated October 17, 2019 from the Board Engineer, Richard Wostbrock, P.E., C.M.E. of CP Professional Services;
2. Memorandum from the Board Planner, Gerard M. Haizel, P.P., AICP of Nishuane Group, dated October 14, 2019;

WHEREAS, a public hearing was held on such application on November 26, 2019; and

WHEREAS, Reginald Jenkins, Jr. of Chasan Lamparello Mallon & Cappuzzo PC presented the Application to the Orange Planning Board on behalf of the Applicant, and;

WHEREAS, the Applicant presented testimony from the following witnesses:

1. Emanuel Klein, member of the Applicant, who was duly sworn;
2. Anthony D'Agosta, AIA., NCARB, a Licensed Architect with the firm Inglese Architecture and Engineering, who was duly sworn and qualified as an expert Architect in his respective field;
3. Bill D'Amico, F&E Services, INC.. who was duly sworn and qualified as an expert with respect to mechanical parking mechanisms;

WHEREAS, the Applicant marked into evidence the following exhibits:

1. Color Rendering of the proposed redevelopment project entitled "Orange Crossing I, dated November 26, 2019, marked as Exhibit A-1; and
2. A video representation of the proposed mechanical parking mechanism, marked as Exhibit A-2

WHEREAS, Richard Wostbrock, P.E., C.M.E and the Board Planner Gerard M. Haizel, P.P. presented testimony after being sworn and duly qualified as experts in their field and;

WHEREAS, Members of the Board were given an opportunity to ask questions and voice their opinions and;

WHEREAS, members of the public were given an opportunity to testify for or against the Application and none came forward to do so and;

WHEREAS, this Resolution incorporates by reference, all discussions, presentations of exhibits and testimony taken at the hearing on November 26, 2019, as if set forth at length herein below, and;

WHEREAS, the City of Orange Township Planning Board makes the following findings of fact:

- 1. All the recitals hereinabove set forth are incorporated herein by reference.**
- 2. The Applicant, PEEK Development LLC filed an application for final major site plan approval to develop the Property with a 50-unit mixed-use multi-family building. 40 parking spaces are provided in compliance with the redevelopment plan's requirements. 26 of those 40 parking spaces are proposed to be provided through state of the art mechanical parking machines. Retail space is proposed on the building's ground floor.**
- 3. As proposed the Applicant's redevelopment project is in conformance with the City's Reock Street Redevelopment Plan, Transit Village Center Plan.**
- 4. The Applicant has established good cause for the preliminary and final site plan approval, having satisfied its burden of proof pursuant to the Municipal Land Use Law, and its proposed development and application will advance the purposes of the Municipal Land Use Law.**

NOW THEREFORE BE IT RESOLVED by the City of Orange Planning Board at its meeting on December 16, 2019, as follows:

Applicant's application under Case 19-06 for final site plan approval for the subject property located at 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11 on the City of Orange Township Tax Map is hereby **APPROVED**.

FURTHERMORE, APPROVAL on motion by Planning Board member Jones and seconded by Planning Board member Faustin. to approve the final site plan is subject to the following conditions:

1. Applicant will comply with all recommendations by the Planning Board Experts.
2. All other State, County and Municipal Regulatory agency reviews and/or permits that may be necessary must be obtained.
3. No additional construction permits of any type shall be issued by the Construction Code Official of the City of Orange Township until all Planning Board escrow fees have been paid and a Resolution of Approval has been memorialized and appropriately signed by the Planning Board Chairman, Planning Board Secretary and Planning Board Attorney for approval only as to the legality of the Resolution and the Construction Code Official has received final plans, appropriately signed by the Planning Board Chairman, Planning Board Secretary and Planning Board Engineer.
4. Prior to the initiation of construction activities, Applicant shall provide inspection escrow funds for fees, pursuant to Section 210-56 of the City of Orange Township Ordinance.
5. Applicant to consider placing cameras in building hallways and security cameras that are connected to the police department;

WHEREAS, the Board took action on this application at its regular meeting on December 16, 2019 and this Resolution constitutes a Resolution of Memorialization of the action taken on November 26, 2019, Case No.19-06 by those Planning Board Members voting and present.

November 26, 2019:
Date of Motion to Approve the Final Site Plan—Case No. 19-06

The motion to approve this site plan application was made by Motion by Planning Board Vice-Chair, Antoinette Jones and seconded by Honorable Mayor Dwayne W. Warren, Esq. The motion carried 7 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	Not Voting	Absent	Excused
Dwight Holmes Chairperson	X				
Antoinette Jones Vice-Chairperson	X				
Hon. Dwayne Warren, Esq. Mayor	X				
Hon. Tency Eason Council Member	X				
Christopher Mobley				X	
Hans Tanis	X				
Callistus Onyiuke	X				
Enock Faustin	X				

December 16, 2019: Date of Motion to Memorialize Resolution- Case No. 19-06

The Motion to approve the Memorialization of this Resolution was made by Mayor Warren and seconded by Councilwoman Eason.

This motion carried 4 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	Not Voting	Absent	Excused
Dwight Holmes Chairperson	X				
Antoinette Jones Vice-Chairperson	X				
Hon. Dwayne Warren, Esq. Mayor	X				
Hon. Tency Eason Council Member	X				
Christopher Mobley					X
Hans Tanis				X	
Callistus Onyiuke				X	
Enock Faustin				X	

X: Indicates Vote

N.V.: (Abstention)

The foregoing is a true copy of the Resolution adopted by the Planning Board of the City of Orange Township, at its meeting of December 16, 2019 and said resolution memorializes the action of the Planning Board taken at its meeting of November 26, 2019, in the matter of 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11, Case No. 19-06.

Presented: December 16, 2019

Adopted: December 16, 2019



Dwight Holmes
Planning Board Chairperson



Laquana Best
Planning Board Secretary



Tamara L. Loatman-Clark, Esq
Planning Board Attorney
Approved as to Form and Legality

1. The Secretary of the Planning Board shall file a copy of the executed agreements herein authorized, in the Office of the Orange City Clerk and same shall be made available for public inspection.
2. Applicant shall publish a Notice of this action in the newspaper authorized by law to publish a legal advertisement and as required by law within (10) days of the adoption of this Resolution.



FIRST INDEMNITY OF AMERICA
INSURANCE COMPANY
2740 Rt. 10 West, Suite 205
Morris Plains, New Jersey 07950

Phone: (973)402-1200
Fax: (973)402-0770

E.B. COHEN INSURANCE & RISK MANAGEMENT
101 EISENHOWER PARKWAY

Roseland, NJ 07068

Fold Here

INVOICE

BOND # CT025412	INVOICE # 083793	EFFECTIVE DATE 10/01/2020	EXPIRATION DATE 9/30/2022
PRINCIPAL PEEK REOCK I OWNER URBAN RENEWAL, LLC.			
OBLIGEE CITY OF ORANGE TOWNSHIP			
CARRIER First Indemnity of America Insurance Company			
PROJECT DESCRIPTION Block 2804. Lots 1, 2, 9, 10 and 11			
BOND DESCRIPTION Standard NJ Performance Surety Bond FIA SITE 120 Percent rev 1 3		SAA CODE 718	JOB STATE NJ
BOND AMOUNT \$78,039.55	PREMIUM DUE \$1,951.00	AGENT COMMISSION \$390.20	NET PREMIUM \$1,560.80
FEE DESCRIPTION	+FEE AMT.	INVOICE AMOUNT \$1,560.80	
NOTES:		PAYMENT DESCRIPTION	-PAY AMT.
		NET DUE \$1,560.80	

PLEASE REFERENCE BOND AND / OR INVOICE NUMBER ON CHECK
PREMIUMS ARE DUE AND PAYABLE WHEN BOND IS ISSUED

INVOICE DATED: October 1, 2020



FIRST INDEMNITY OF AMERICA INSURANCE COMPANY

2740 Rt. 10 West, Suite 205
Morris Plains, New Jersey 07950
(973) 402-1200

Bond No.: CT025412

N.J.A.C. § 5:36-4.1 Performance surety bonds

The standardized form of performance surety bond required by an approving authority pursuant to section 41 of P.L. 1975, c.291 (N.J.S.A. 40:55D-53) (effective date July 16, 2001) shall be as follows:

STANDARD NEW JERSEY PERFORMANCE SURETY BOND

We, PEEK REOCK | OWNER URBAN RENEWAL, LLC., having offices at
59 MAIN STREET, SUITE 203 West Orange, NJ 07052 as principal, and
PHILLIP J. EVANSKI AND EMANUEL KLEIN

as co-principals and **FIRST INDEMNITY OF AMERICA INSURANCE COMPANY**, having
offices at Rt. 10 W, Suite 205 Morris Plains, NJ 07950, a corporation duly licensed to transact a surety
business in the State of New Jersey, as surety, are indebted to the municipality of
CITY OF ORANGE TOWNSHIP in the county of Essex,

obligee, in the sum of (\$78,039.55) Dollars

SEVENTY EIGHT THOUSAND THIRTY NINE AND 55/100

for which payment we bind ourselves and our respective heirs, legal representatives, successors, and
assigns, jointly and severally.

On 6/16/2020 (date), applicant PEEK REOCK | OWNER URBAN RENEWAL, LLC.,
principal, was granted approval by the planning board of the CITY OF ORANGE TOWNSHIP
(approving authority) for final site plan approval for premises known as the improvements subject to this
bond are as follows:

Block 2804. Lots 1, 2, 9, 10 and 11

The certification of the cost of such improvements by the municipal engineer is 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
(\$78,039.55) Dollars SEVENTY EIGHT THOUSAND THIRTY NINE AND 55/100
(not to exceed 120 percent of the cost of the improvements as certified by the municipal engineer),
written by **FIRST INDEMNITY OF AMERICA 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 force and effect until release 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 under this bond 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 the 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 for the additional amount; provided, however, that this provision shall not be construed as requiring 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 a replacement guarantee acceptable to the approving authority becomes effective.

9. This bond shall not be transferable or assigned to any other individual or entity and especially where the Municipality has acknowledged the transfer or assignment of the subject property. In the event such a transfer or assignment shall take place, then this bond shall no longer be effective and in force.

Date: This 1st day of October, 2020

SEAL:

Witness/Attest:

BY: _____
Principal PEEK REOCK | OWNER URBAN RENEWAL, LLC.

Witness/Attest:

BY: _____
Co-Principal Phillip J. Evanski

Witness/Attest:

BY: _____
Co-Principal Emanuel Klein

Witness/Attest:

BY: _____
Co-Principal

Witness/Attest:

BY: _____
Co-Principal

Witness/Attest:

Witness/Attest:

BY: _____
Co-Principal

BY: _____
Co-Principal

SEAL:

Florence Donohue
Witness/Attest as to Surety: Florence Donohue

FIRST INDEMNITY OF AMERICA
INSURANCE COMPANY

BY: *Cristina Carpenter*
Attorney-in-fact Cristina Carpenter

SURETY ACKNOWLEDGEMENT

State of New Jersey

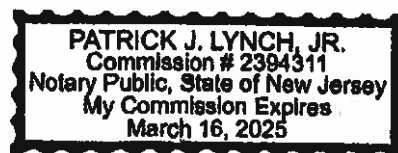
ss:

County of Morris

On this 1st day of October, 2020, before me personally comes

Cristina Carpenter to me known; who, being by me duly sworn, deposes and says that he/she resides in Morris Plains, NJ, that he/she is the Attorney-in-Fact of the First Indemnity of America Insurance Company the Corporation described in and which executed the foregoing instrument; that he/she knows the seal of the said Corporation; that the seal affixed to the said instrument is such Corporate seal; that it was so affixed by the order of the Board of Directors of the said Corporation, and that he/she signed his/her name thereto by like order.


(Signature & Title of Official Taking Acknowledgment)



**CITY OF ORANGE TOWNSHIP
ORANGE PLANNING BOARD
258-276 REOCK STREET, ORANGE, NEW JERSEY
Block: 2804 Lots: 1, 2, 9, 10 and 11
Case No. 19-06**

RESOLUTION OF MEMORIALIZATION

WHEREAS, PEEK Development LLC (the "Applicant"), filed an application with the City of Orange Township Planning Board (the "Board"), for final major site plan approval for the development of the property located at 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11 City of Orange Township, New Jersey (the "Property"); and

WHEREAS, the Property is located within the City's Reock Street Redevelopment Plan. Transit Village Center zone; and.

WHEREAS, the Applicant is the duly-designated redeveloper for the Property; and

WHEREAS, the Applicant presented proof that adequate notice of this hearing on this application was published in an official newspaper of this municipality and the notice of the hearing was served on all property owners within 200 feet of the subject property at least ten (10) days before the date set forth for the hearing; and

WHEREAS, the Applicant submitted the following documents and drawings to the Planning Board for consideration:

1. City of Orange Township Planning Board Application for Development submitted July 29, 2019 (with attachments);
2. Signed and Sealed Site and Architectural Plans consisting of seventeen (17) sheets titled, Orange Crossing I, Final Site Plan Submission, Proposed 50-Unit, Multifamily Building, 258-276 Reock Street, Orange, Block: 2804 Lots: 1, 2, 9, 10 & 11, dated July 22-2019, prepared by Inglese Architecture + Engineering.

3. Signed & Sealed Boundary and Topographic Survey consisting of one (1) sheet dated June 10-2019, prepared Michael Pronesti, PLS of Pronesti Surveying, Inc.

WHEREAS, the following reports relevant to this Application by reference and made a part hereof;

1. Completeness Review Letter dated October 17, 2019 from the Board Engineer, Richard Wostbrock, P.E., C.M.E. of CP Professional Services;
2. Memorandum from the Board Planner, Gerard M. Haizel, P.P., AICP of Nishuane Group, dated October 14, 2019;

WHEREAS, a public hearing was held on such application on November 26, 2019; and

WHEREAS, Reginald Jenkins, Jr. of Chasan Lamparello Mallon & Cappuzzo PC presented the Application to the Orange Planning Board on behalf of the Applicant, and;

WHEREAS, the Applicant presented testimony from the following witnesses:

1. Emanuel Klein, member of the Applicant, who was duly sworn;
2. Anthony D'Agosta, AIA., NCARB, a Licensed Architect with the firm Inglese Architecture and Engineering, who was duly sworn and qualified as an expert Architect in his respective field;
3. Bill D'Amico, F&E Services, INC.. who was duly sworn and qualified as an expert with respect to mechanical parking mechanisms;

WHEREAS, the Applicant marked into evidence the following exhibits:

1. Color Rendering of the proposed redevelopment project entitled "Orange Crossing I, dated November 26, 2019, marked as Exhibit A-1; and
2. A video representation of the proposed mechanical parking mechanism, marked as Exhibit A-2

WHEREAS, Richard Wostbrock, P.E., C.M.E and the Board Planner Gerard M. Haizel, P.P. presented testimony after being sworn and duly qualified as experts in their field and;

WHEREAS, Members of the Board were given an opportunity to ask questions and voice their opinions and;

WHEREAS, members of the public were given an opportunity to testify for or against the Application and none came forward to do so and;

WHEREAS, this Resolution incorporates by reference, all discussions, presentations of exhibits and testimony taken at the hearing on November 26, 2019, as if set forth at length herein below, and;

WHEREAS, the City of Orange Township Planning Board makes the following findings of fact:

1. All the recitals hereinabove set forth are incorporated herein by reference.
2. The Applicant, PEEK Development LLC filed an application for final major site plan approval to develop the Property with a 50-unit mixed-use multi-family building. 40 parking spaces are provided in compliance with the redevelopment plan's requirements. 26 of those 40 parking spaces are proposed to be provided through state of the art mechanical parking machines. Retail space is proposed on the building's ground floor.
3. As proposed the Applicant's redevelopment project is in conformance with the City's Reock Street Redevelopment Plan, Transit Village Center Plan.
4. The Applicant has established good cause for the preliminary and final site plan approval, having satisfied its burden of proof pursuant to the Municipal Land Use Law, and its proposed development and application will advance the purposes of the Municipal Land Use Law.

NOW THEREFORE BE IT RESOLVED by the City of Orange Planning Board at its meeting on December 16, 2019, as follows:

Applicant's application under Case 19-06 for final site plan approval for the subject property located at 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11 on the City of Orange Township Tax Map is hereby **APPROVED**.

FURTHERMORE, APPROVAL on motion by Planning Board member Jones and seconded by Planning Board member Faustin. to approve the final site plan is subject to the following conditions:

1. Applicant will comply with all recommendations by the Planning Board Experts.
2. All other State, County and Municipal Regulatory agency reviews and/or permits that may be necessary must be obtained.
3. No additional construction permits of any type shall be issued by the Construction Code Official of the City of Orange Township until all Planning Board escrow fees have been paid and a Resolution of Approval has been memorialized and appropriately signed by the Planning Board Chairman, Planning Board Secretary and Planning Board Attorney for approval only as to the legality of the Resolution and the Construction Code Official has received final plans, appropriately signed by the Planning Board Chairman, Planning Board Secretary and Planning Board Engineer.
4. Prior to the initiation of construction activities, Applicant shall provide inspection escrow funds for fees, pursuant to Section 210-56 of the City of Orange Township Ordinance.
5. Applicant to consider placing cameras in building hallways and security cameras that are connected to the police department;

WHEREAS, the Board took action on this application at its regular meeting on December 16, 2019 and this Resolution constitutes a Resolution of Memorialization of the action taken on November 26, 2019, Case No.19-06 by those Planning Board Members voting and present.

November 26, 2019:
Date of Motion to Approve the Final Site Plan—Case No. 19-06

The motion to approve this site plan application was made by Motion by Planning Board Vice-Chair, Antoinette Jones and seconded by Honorable Mayor Dwayne W. Warren, Esq. The motion carried 7 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	Not Voting	Absent	Excused
Dwight Holmes Chairperson	X				
Antoinette Jones Vice-Chairperson	X				
Hon. Dwayne Warren, Esq. Mayor	X				
Hon. Tency Eason Council Member	X				
Christopher Mobley				X	
Hans Tanis	X				
Callistus Onyiuke	X				
Enock Faustin	X				

December 16, 2019: Date of Motion to Memorialize Resolution- Case No. 19-06

The Motion to approve the Memorialization of this Resolution was made by Mayor Warren and seconded by Councilwoman Eason.

This motion carried 4 in favor, 0 opposed and 0 abstentions.

Members	Aye	Nay	Not Voting	Absent	Excused
Dwight Holmes Chairperson	X				
Antoinette Jones Vice-Chairperson	X				
Hon. Dwayne Warren, Esq. Mayor	X				
Hon. Tency Eason Council Member	X				
Christopher Mobley					X
Hans Tanis				X	
Callistus Onyiuke				X	
Enock Faustin				X	

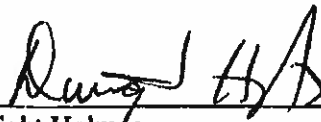
X: Indicates Vote

N.V.: (Abstention)

The foregoing is a true copy of the Resolution adopted by the Planning Board of the City of Orange Township, at its meeting of December 16, 2019 and said resolution memorializes the action of the Planning Board taken at its meeting of November 26, 2019, in the matter of 258-276 Reock Street, Block 2804, Lots 1,2,9, 10 and 11, Case No. 19-06.

Presented: December 16, 2019

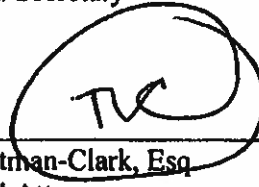
Adopted: December 16, 2019



Dwight Holmes
Planning Board Chairperson



Laqana Best
Planning Board Secretary



Tamara L. Loatman-Clark, Esq.
Planning Board Attorney
Approved as to Form and Legality

1. The Secretary of the Planning Board shall file a copy of the executed agreements herein authorized, in the Office of the Orange City Clerk and same shall be made available for public inspection.
2. Applicant shall publish a Notice of this action in the newspaper authorized by law to publish a legal advertisement and as required by law within (10) days of the adoption of this Resolution.

CITY COUNCIL :

The City of Orange Township, New Jersey

June 16, 2020

272-2020

DATE _____

NUMBER _____

TITLE:

A RESOLUTION AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND PEEK REOCK I OWNER URBAN RENEWAL, LLC FOR THE UNDERTAKING OF A REDEVELOPMENT PROJECT TO BE LOCATED AT 258-276 REOCK STREET

WHEREAS, the City previously determined that certain properties (collectively, the "Redevelopment Area") are an area in need of redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, the City previously adopted one or more redevelopment plans (collectively, the "Redevelopment Plan") to govern the redevelopment of the properties located within the Redevelopment Area; and

WHEREAS, PEEK Reock I Owner Urban Renewal, LLC (the "Redeveloper") proposes to undertake a redevelopment project on that portion of the Redevelopment Area identified on the City's official tax map as Tax Block 2804, Lots 1, 2, 9, 10 and 11, more commonly known by the street address of 258-276 Reock Street, Orange, New Jersey (the "Project Site"), consisting of the construction of a 6-story, 50-unit multi-family residential building with 40 on-site parking spaces provided on the ground floor, and other related improvements (collectively, the "Project"); and

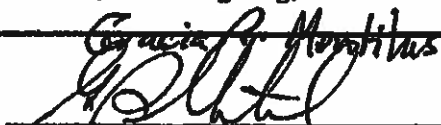
WHEREAS, by resolution adopted on June 5, 2019, the City has heretofore designated PEEK Development, L.L.C., an affiliate of the Redeveloper, to serve as the exclusive redeveloper under the LRHL for the Project on the Project Site, conditioned upon certain undertakings of the Redeveloper and subject to expiration in the event the Redevelopment Agreement is not timely negotiated, approved and executed by the parties; and

WHEREAS, the New Jersey Department of Transportation (the "NJDOT") currently owns that portion of the Project Site identified on the City's official tax map as Tax Block 2804, Lots 9 and 10 (the "NJDOT Properties"); and

WHEREAS, the NJDOT has indicated that the NJDOT Properties constitute excess surplus properties which may be sold by the NJDOT to the City for redevelopment, at a purchase price to be determined (the "NJDOT Sale Price"); and

WHEREAS, the Redeveloper has represented that it either owns, or has entered into a purchase and sale agreement to acquire, the portions of the Project Site not constituting the NJDOT Properties; and

WHEREAS, the Project includes the construction of such reasonably necessary infrastructure improvements along the frontage of the Project and the Project Site that are caused and necessitated as a result of the construction of the Project, including but not limited to curb replacements, street resurfacing, sidewalks, street lighting,



landscaping, crosswalks and similar improvements consistent with the Redeveloper's approved site plan, to be determined in coordination with the City Planner (collectively, the "Infrastructure Improvements"); and

WHEREAS, in order to defray certain eligible costs of the portion of the Project comprising the Infrastructure Improvements, the City expects to issue its general obligation bonds and/or notes in one or more series in an aggregate principal amount not to exceed \$200,000 (the "RAB Bonds") pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 et seq., and/or the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as applicable, and a bond ordinance to be adopted by the City; and

WHEREAS, in the Redevelopment Agreement the City shall agree to issue the RAB Bonds following the effectiveness of the related bond ordinance and receipt of any necessary governmental approvals; and

WHEREAS, in furtherance of the Redevelopment Plan, the City and the Redeveloper now wish to enter into a Redevelopment Agreement (the "Redevelopment Agreement") to fully set forth the understanding of the City and the Redeveloper with respect to the construction and development of the Project, including, *inter alia*, the sale of the NJDOT Properties by the City to the Redeveloper (contingent upon the City's acquisition thereof from the NJDOT) at a purchase price equal to the NJDOT Sale Price, subject to the terms and conditions of the attached Redevelopment Agreement; and

WHEREAS, the Redeveloper has agreed to pay all reasonable fees, expenses and costs incurred by the City with respect to its role as redevelopment entity related to the Project, including, *inter alia*, costs relating to the acquisition and sale of the NJDOT Properties as aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township that:

1. The Municipal Council hereby approves the proposed form of Redevelopment Agreement in substantially the form attached hereto. The Mayor and/or the Business Administrator are hereby authorized to execute and deliver the Redevelopment Agreement in substantially such form, with such changes as the such officer(s) may approve, such approval to be conclusively evidenced by his or their execution thereof. The Clerk is hereby authorized to attest to such signature(s) and to affix the official seal of the City to the Redevelopment Agreement.
2. The Mayor, Business Administrator, Clerk and Attorney are hereby authorized to execute any other documents and/or agreements necessary to implement the Redevelopment Agreement.

Adopted:

JUN 16 2020


Joyce L. Ianier
City Clerk


Tency A. Eason
Council President

RESOLUTION NO. 272-2020

ON CONSENT AGENDA

REGULAR MEETING-- JUNE 16, 2020

MOTION TO ADOPT: Williams

SECOND: Jackson

YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten and Council President Eason

NAYS: None

ABSTENTIONS: None

ABSENCES: None



**REMINGTON
& VERNICK
ENGINEERS**

The Presidential Center, Lincoln Building
Suite 600, 101 Route 130
Cinnaminson, NJ 08077
O: (856) 303-1245
F: (856) 303-1249

September 25, 2020

Ms. Laquana T. Best, Deputy Director of Planning & Economic Development
City of Orange Township
29 North Day Street
Orange, New Jersey 07050

**Re: City of Orange Township
Orange Crossing I
258-276 Reock Street (Block 2804, Lot 1,2,9,10,11)
Performance Guarantee Amounts
RVE No. 0717-I-006**

Dear Ms. Best:

For your information, I am enclosing a copy of the cost estimate for the proposed improvements for the above referenced project which conform to the recent change to the Municipal Land Use Law. The following amounts are to be posted:

Public Facilities Performance Guarantee	\$52,990.80
Landscape Buffer Performance Guarantee	\$6,420.00
Safety and Stabilization Bond	\$18,628.75
Street Lighting Guarantee*	\$0.00
Maintenance Guarantee (Public Facilities)	\$7,948.62
Landscape Buffer Maintenance Guarantee	\$963.00
Stormwater Management Maintenance Guarantee	\$303.60
Engineering Inspection Escrow**	\$26,881.25

*May be released when paid contract to utility company is provided.

**\$500.00 minimum, 5% of total Construction Cost

The Public Facilities Performance, Landscape Buffer Performance, Safety and Stabilization and Street Lighting Guarantees must be secured prior to the filing of the subdivision plats, signing of site development plans and/or the issuance of permits.

The Engineering Inspection Escrow must be posted in conformance to the M.L.U.L. prior to the issuance of permits and/or start of any work on the site.

The Maintenance Guarantees must be posted prior to the acceptance of any finished work.

Currently our information indicates that the developer/applicant for this project is PEEK Development, LLC, 59 Main Street, Suite 203, West Orange, NJ 07052

Page 2
City of Orange Township
September 23, 2020


If this information is incorrect, please have the applicant notify our office in writing as soon as possible of the correct address to which copies of our invoices should be sent. **The M.L.U.L. requires the applicant to notify the municipality and the engineer of any changes in ownership of a project.**

The developer must notify our Inspection Department, Senior Inspector, Hasson Shipman for (856) 303-1245, at least three (3) working days in advance of starting work on the site in order to arrange for a preconstruction meeting.

If you have any questions, please do not hesitate to call.

Sincerely,

REMINGTON & VERNICK ENGINEERS



K. Wendell Bibbs, P.E., C.M.E.
Executive Vice President

CC: Christopher Hartwyk, Business Administrator
Nile Clements, CFO
Marty Mayes, Director, Planning, Economic Development and Public Works/Engineering
Adrian O. Mapp, Director of Finance
PEEK Development, LLC, Applicant
Inglese Architecture & Engineering, Applicants Architect/Engineer
Joe Barbadoro, RVE
Hasson Shipman, RVE

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20

CITY OF ORANGE
 ORANGE CROSSING I
 258-276 REOCK STREET
 BLOCK 2804, LOTS 1, 2, 9, 10, 11

07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
EXCAVATION & CLEARING					
3	UNIT	Tree Removal (>24" caliper)	\$1,800.00	\$5,400.00	
SOIL EROSION & SEDIMENT CONTROL					
560	LF	Silt Fence	\$2.50	\$1,400.00	
300	LF	Tree Protection Fence	\$2.50	\$750.00	
1	UNIT	Collar/Stone Inlet Protection	\$150.00	\$150.00	
1	UNIT	Construction Entrance	\$1,500.00	\$1,500.00	
PAVING & CONCRETE					
810	SY	2" Bituminous Surface Course-1	\$10.50	\$8,505.00	
810	SY	4" Base Course	\$20.70	\$16,767.00	
425	SY	4" Dense Graded Aggregate	\$10.00	\$4,250.00	
8810	SY	6" Dense Graded Aggregate	\$12.00	\$105,720.00	
413	SY	4" Concrete Sidewalk-Reinforced	\$73.00	\$30,149.00	Public
12	SY	6" Concrete Driveway Apron	\$81.00	\$972.00	
363	LF	9"x18" Concrete Curbing (Public)	\$30.00	\$10,890.00	Public
2	UNIT	Handicap Ramp, including curb (Public)	\$1,560.00	\$3,120.00	Public
363	LF	Curb Removal	\$6.00	\$2,178.00	
425	SY	Sidewalk Removal	\$12.00	\$5,100.00	
STORM SEWER					
161	LF	36" High Density Polyethylene Pipe (Perforated)	\$115.00	\$18,515.00	
51	LF	12" PVC, Schedule 40	\$73.00	\$3,723.00	
18	CY	Pipe Bedding	\$29.00	\$522.00	
176	CY	Basin Excavation (Off-Site Spoil)	\$11.50	\$2,024.00	Storm
102	CY	Clean Fill	\$23.00	\$2,346.00	
STORM SEWER STRUCTURES					
1	UNIT	Storm Manhole 4' Diameter (0'-6' Depth)	\$4,000.00	\$4,000.00	
1	UNIT	Storm Manhole 4' Diameter (6'-8' Depth)	\$4,500.00	\$4,500.00	
1	UNIT	4'X6' Controlled Outlet Structure	\$4,500.00	\$4.00	

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20.

CITY OF ORANGE
 ORANGE CROSSING I
 258-276 REOCK STREET
 BLOCK 2804, LOTS 1, 2, 9, 10, 11

07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
SANITARY SEWER					
65	LF	6" PVC 0'-7' Deep	\$46.00	\$2,990.00	
WATER MAIN					
115	LF	4" CLDIP	\$70.00	\$8,050.00	
2	UNIT	4" Gate Valves with Valve Box	\$1,500.00	\$3,000.00	
4	UNIT	4" Gate Valves	\$650.00	\$2,600.00	
PLANTING					
7	UNIT	Shade Tree (Public)	\$500.00	\$3,500.00	BURD
37	UNIT	Shrubs (Public)	\$50.00	\$1,850.00	BURD
LIGHTING					
13	UNIT	70 Watt Equivalent LED Ceiling Mounted Light	\$450.00	\$5,850.00	
MISCELLANEOUS					
1	UNIT	Handicap Parking Signs w/Van Access	\$288.00	\$288.00	
1	UNIT	Handicap Parking Signs	\$288.00	\$288.00	
2	UNIT	Traffic Control Signs	\$288.00	\$576.00	
2900	LF	Traffic Stripes, Long Life Epoxy Resin, 4" Wide	\$2.00	\$5,800.00	
6	UNIT	Pavement Markings, Symbols	\$58.00	\$348.00	
9	UNIT	Three Level Mechanical Parking	\$30,000.00	\$270,000.00	
TOTALS					

SUBTOTAL CONSTRUCTION COST: \$537,625.00
 20% CONTINGENCIES: \$107,525.00
 TOTAL CONSTRUCTION COST: \$645,150.00
 5% INSPECTION ESCROW: \$26,881.25

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to NJSA 40:55D-53.h)

Remington & Vernick Engineers

COST ESTIMATE

17-Sep-20

**CITY OF ORANGE
ORANGE CROSSING I
258-276 REOCK STREET
BLOCK 2804, LOTS 1, 2, 9, 10, 11**

07171006

QTY	UNIT	ITEM	UNIT COST	PRICE	GUARANTEE TYPE
		Guarantees:			
	Public	Public Facilities Performance Guarantee		\$52,990.80	
		Public Facilities Maintenance Guarantee		\$7,948.62	
	Buffer	Landscape Buffering Performance Guarantee		\$6,420.00	
		Landscape Buffer Maintenance Guarantee		\$963.00	
	Safety	Safety & Stabilization Guarantee		\$18,628.75	
	Storm	Stormwater Management Maintenance Guarantee		\$303.60	
	TCO	TCO Required Item Guarantee		\$0.00	

(Based on the greater of \$500.00 or 5% of the construction cost pursuant to NJSA 40:55D-53.h)

REV.8-01

This Estimate Of The Costs Of Improvements Has Been Prepared Pursuant To Section 40:55D-53.4 Of The Municipal Land Use Law And Is Based On Documented Construction Cost For Public Improvements Which Preval In The Vicinity Of The Municipality

**Bond By: JP
Reduction By:
Estimate #1, Date: 9/17/2020**

FIRST INDEMNITY OF AMERICA INSURANCE COMPANY
2740 Rt. 10 West, Suite 205
Morris Plains, New Jersey 07950
(973) 402-1200 Fax (973) 402-0770

SURETY DISCLOSURE STATEMENT AND CERTIFICATION

First Indemnity of America Insurance Company ("the Surety"), on the attached bond, hereby certifies the following:

1. The Surety meets the applicable capital and surplus requirements of R.S. 17.17-6 or R.S. 17.17-7 as of the Surety's most current annual filing with the New Jersey Department of Insurance.
2. The capital and surplus, as determined in accordance with the applicable laws of the State of New Jersey, is in the amount set forth on the annexed sheet, which said amount has been certified and is on file with the New Jersey Department of Insurance as required by law. Copies of the Annual Statement reflecting such information are on file with the New Jersey Department of Insurance and may be obtained from that agency.
3. The amount of the bond to which this statement and certification is attached is \$ 78,039.55.
4. The bond annexed hereto may be reinsured pursuant to treaties of reinsurance between First Indemnity of America Insurance Company and any of the reinsurers set forth in Schedule F, Parts (1) (2) (3) and (4) of the Annual Statement for First Indemnity of America Insurance Company for the year ended December 31, 2019, as on file with the New Jersey Department of Insurance.
5. The Surety certifies that each reinsurer referred to in Item (5) satisfies the credit for reinsurance requirement established by law as of the date on which the bond to which this statement and certification is attached shall have been issued.

CERTIFICATION

(To be completed by an authorized certifying agent for each surety on the bond.)

I, Cristina Carpenter ATTORNEY-IN-FACT for
First Indemnity of America Insurance Company, a corporation domiciled in New
Jersey, DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing
statements made by me are true and acknowledge that if any of those statements
are false, this bond is voidable.


Signature

Cristina Carpenter
Print Name

ATTORNEY-IN-FACT
Title

**FIRST INDEMNITY OF AMERICA
INSURANCE COMPANY**
2740 Rt. 10 West, Suite 205 Morris Plains, New Jersey 07950
Telephone: (973) 402-1200

POWER OF ATTORNEY FOR BONDS AND UNDERTAKINGS

Know All Men By These Presents: That First Indemnity of America Insurance Company, a Corporation of the State of New Jersey does hereby appoint: Cristina Carpenter, its true and lawful Attorneys-in-Fact: to make, execute, sign, acknowledge, affix the Company Seal to, deliver any and all surety bonds, undertakings, recognizances, and other contracts of indemnity and writings obligatory in the nature of a bond, for and on behalf of said Company and as an act and deed of said Company.

IN WITNESS WHEREOF, First Indemnity of America Insurance Company of the State of New Jersey has executed these presents this 25th day of November, 2019.



Patrick J. Lynch
Patrick J. Lynch, President

STATE OF NEW JERSEY)
COUNTY OF MORRIS) ss:

On this 25th day of November, 2019, before me came the above named officer of First Indemnity of America Insurance Company of New Jersey, to me personally known to be the individual and officer described herein, and acknowledge that he executed the foregoing instrument and affixed the seal of said corporation thereto by authority of this office.



Kathleen Fochesto
KATHLEEN FOCHESTO
Commission # 2394310
Notary Public, State of New Jersey
My Commission Expires
March 16, 2025

CERTIFICATE

Excerpts of Resolutions (Article V, Paragraph 5, of the By-Laws of said Company) adopted by the Board of Directors of the First Indemnity of America Insurance Company of the State of New Jersey, November 25, 2019.

RESOLVED, on November 25, 2019, that the President, or any one of the Vice Presidents specially authorized to do so by the Board of Directors, or by the Executive Committee, shall have power to appoint Attorneys-in-Fact as the business of the company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and release and assignment of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require and to affix the Seal of the Company thereto.

FURTHER RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating to the Power of Attorney by facsimile and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking, recognizances or other contract of indemnity of writing obligatory in the nature thereof.

I, Jane E. Lynch, Secretary of First Indemnity of America Insurance Company of New Jersey, do hereby certify that the foregoing excerpts of the Resolution adopted by the Board of Directors of the Corporation and the Powers of Attorney issued pursuant thereto, are true and correct and that both the Resolution and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have herewith set my hand and affixed the seal of said Corporation this 1st day of October, 2020.

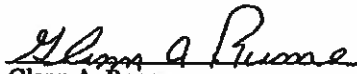


Jane E. Lynch
Jane E. Lynch, Secretary

FIRST INDEMNITY OF AMERICA INSURANCE COMPANY
2740 Route 10 West, Suite 205, Morris Plains, N.J. 07950
STATEMENT OF FINANCIAL CONDITION AS OF DECEMBER 31, 2019

Assets:	
Bonds	\$ 4,350,412
Preferred & Common Stocks	3,120,861
Mortgage Loans	112,647
Real Estate	1,281,462
Cash and Short Term Investments	3,018,966
Investment Income Due and Accrued	66,833
Premiums in the Course of Collection (under 90 days)	407,407
Reinsurance Recoverable on Loss and LAE Payments	179,860
Deferred Tax Asset	462,360
Other Assets	<u>55,476</u>
Total Admitted Assets	\$ <u>13,056,284</u>
 Liabilities and Surplus:	
Reserve for Loss and Loss Adjustment Expenses	2,447,613
Other Expenses	304,131
Taxes Licenses and Fees	(51,736)
Federal Income Tax Payable	-
Unearned Premium	1,852,128
Amounts Withheld or Retained for Others	151,664
Ceded Reinsurance Balances Payable	151,787
Liability for Unauthorized Reinsurers	<u>-</u>
Total Liabilities	4,855,587
 Capital & Surplus:	
Common Stock, Paid Up	2,600,000
Paid in and Contributed Surplus	1,480,945
Unassigned Surplus	<u>4,219,752</u>
Surplus as Regards to Policyholders	<u>8,200,697</u>
Total Liabilities and Surplus	\$ <u>13,056,284</u>


I, Glenn A. Runne, Chief Financial Officer of First Indemnity of America Insurance Company, do hereby certify that the foregoing statement is a correct exhibit of the assets and surplus of the said company, on the 31st day of December, 2019, according to the best information, knowledge, and belief.


 Glenn A. Runne
 Chief Financial Officer

State of New Jersey)
 County of Morris) SS:

Subscribed and sworn to, before me, a Notary Public of the State of New Jersey in the Township of Morris Plains, this 31st day of December, 2019.

KATHLEEN FOCHESTO
 Commission # 2394310
 Notary Public, State of New Jersey
 My Commission Expires
 March 16, 2025


 Kathleen Fochesto
 My Commission Expires March 16, 2025

