

TOWNSHIP OF MANSFIELD

RESOLUTION NO. 2021-1-29

RESOLUTION DECLARING DEFAULT AND DEMANDING PAYMENT ON PERFORMANCE BOND POSTED FOR PRESTIGE LEARNING ACADEMY FOR THE CONSTRUCTION OF A DAY CARE CENTER ON ROUTE 206, BLOCK 4, LOT 8.02, MANSFIELD TOWNSHIP

WHEREAS, on October 22, 2018, the Mansfield Planning Board sitting as a Joint Land Use Board adopted Resolution 2018-9-13 granting approvals for the construction of a Day Care Center (the “Project”) on property located on Route 206 known as Block 4, Lot 8.02 on the Mansfield Township Tax Map (the “Property”); and

WHEREAS, pursuant to the above approvals, Performance Bond UCSX329MX342 in the amount of \$73,199.49, dated June 10, 2019, issued by United Casualty and Surety Insurance Company, Boston, Massachusetts (“Performance Bond”) was posted as and for a performance guarantee by Prestige Learning Center, LLC for the construction of a Day Care Center (the “Project”) on Route 206, Block 4, Lot 8.02, Mansfield Township (the “Property”); and

WHEREAS, the Mansfield Township Construction Code Official, Department of Planning & Zoning and the Township Engineer have advised the Township Committee that (1) all or a portion of the improvements for the Project on the Property covered by said Performance Bond have not been completed (2) the construction of the Project has been abandoned and work has ceased, thus (3) creating a dangerous and unsafe condition at the Property.

NOW, THEREFORE, BE IT RESOLVED, THAT, pursuant to the terms of said Performance Bond and N.J.S. 40:55D-53, the Project is hereby declared to be in default and demand is hereby made by the Township Committee of the Township of Mansfield for payment on Performance Bond UCSX329MX342 in the amount of \$73,199.49, issued by United Casualty and Surety Insurance Company, Boston, Massachusetts; and

BE IT FURTHER RESOLVED, THAT the Township Construction Official is hereby authorized to revoke all construction permits that may be in effect and to prohibit any further construction of the Project on the Property.

MOTION: HIGGINS SECOND: TALLON

ROLL CALL VOTE:

AYES: HIGGINS, TALLON, GOLEND, OCELLO, MAGEE

NAYS: NONE ABSTAIN: NONE ABSENT: NONE

CERTIFICATION

I, LINDA SEMUS, RMC, CMR Municipal Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby CERTIFY the foregoing to be a true and accurate copy of the resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at a meeting held on January 20, 2021 at 7:00 PM.

LINDA SEMUS, RMC, CMR
Municipal Clerk