

**RESOLUTION NO. 18-44**

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WOODBURY  
AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE AND  
ACCEPTING THE MAINTENANCE BOND OF KLINE CONSTRUCTION CO., INC.  
REGARDING THE DAVID A. LAVERTY CONCESSION & CLUBHOUSE SITE  
WORK PROJECT**

**WHEREAS**, Kline Construction Co., Inc. posted a Performance Guaranty, being Hartford Casualty Insurance Company Bond No. 44BCSHH4425 dated June 14, 2016, for the project known as the David A. Laverty Concession & Clubhouse Site Work Project; and

**WHEREAS**, Federici & Akin, City Engineer on the Project, by correspondence dated January 16, 2018, recommends release of the Performance Guaranty contingent upon the posting of a Maintenance Guaranty in a form acceptable to the City Solicitor to be held for a period of two (2) years; and

**WHEREAS**, Kline Construction Co., Inc., has posted Hartford Casualty Insurance Company Maintenance Bond No. 44BCSHH4425 in the amount of \$182,693.50 for a period of two (2) years commencing October 14, 2016; and

**WHEREAS**, Federici & Akin, City Engineer on the Project, and Angelini Viniar & Freedman, City Solicitor, recommend acceptance of the Maintenance Bond for the project; and

**WHEREAS**, Federici & Akin, City Engineer on the Project, recommends release of the retainer held by the City of Woodbury in the amount of \$3,647.87 to Kline Construction Co., Inc.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury, County of Gloucester and State of New Jersey on this 23<sup>rd</sup> day of January, 2018, that:

1. The Performance Guaranty being Hartford Casualty Insurance Company Bond No. 44BCSHH4425 posted by Kline Construction Co., Inc. for the project known

as the David A. Lavery Concession & Clubhouse Site Work Project, is hereby released; and

2. The Maintenance Bond being Hartford Casualty Insurance Company Bond No. BCSHH4425 posted by Kline Construction Co., Inc. for the project known as the David A. Lavery Concession & Clubhouse Site Work Project in the amount of \$182,693.50 is hereby accepted; and
3. The Retainer held by the City of Woodbury in the amount of \$3,647.87, is hereby released to Kline Construction Co., Inc.

**ADOPTED** at a regular meeting of the Mayor and City Council of the City of Woodbury on January 23, 2018.

**CITY OF WOODBURY**

By:   
\_\_\_\_\_  
**TRACEY PARKER**  
President of Council

**ATTEST:**

  
\_\_\_\_\_  
**DANEEN D. FUSS, City Clerk**

<b>Council Member</b>	<b>Ayes</b>	<b>Nays</b>	<b>Abstain</b>	<b>Absent</b>
Councilwoman Carter	✓			
Councilman Fleming	✓			
Councilman Johnson				✓
Councilman McIlvaine	✓			
Councilwoman Miller	✓			
Councilwoman O'Connor	✓			
Councilman Swanson	✓			
Councilwoman Tierney	✓			
Council President Parker	✓			

### CERTIFICATION

I, Daneen D. Fuss hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **January 23, 2018** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.

Daneen D. Fuss  
Daneen D. Fuss, City Clerk