

RESOLUTION NO. 2024- 331

A RESOLUTION APPROVING SURETY REDUCTION,  
RELEASE OR RENEWAL AS SUBMITTED BY THE CITY  
ENGINEER.

WHEREAS, pursuant to N.J.S.A. 40:55D-53 and a report submitted by the City of Vineland Engineer dated June 28, 2024, a surety reduction, release or renewal is hereby requested.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Vineland that:

1. Requests for Surety Release as submitted by the City of Vineland Engineer are hereby approved for:
  - Chipotle, W. Landis Avenue, Project #PBA-22-00040
  - Levari Brothers Realty Office, N. Mill Road, Project #PBA-22-00013
  - Davy Cold Storage Facility, DeMarco Drive, Project #PZ-18-00009
  - Rovagnati Meats, W. Oak Road, Project #PZ-19-00069
  - Planet Fitness at Vineland Crossing, Phase 3, W. Landis Avenue, Project #PZ-19-00031
2. Pursuant to N.J.S.A. 40:55D-53, the City Clerk of the City of Vineland is hereby authorized and directed to notify the obligor of the action taken by City Council as set forth above.

Adopted: July 23, 2024

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President of Council

eea

ATTEST:

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City Clerk

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REPORT TO: Mayor and City Council  
 FROM: David J. Maillet, City Engineer  
 DATE: June 28, 2024  
 RE: Surety Report

The Engineering/Planning Division has conducted an on-site inspection of the below project for the purpose of determining compliance with required site improvements, and has prepared the following report:

**BOND RELEASE:**

1. Chipotle– 1025 W. Landis Avenue, Block 3503, Lot 9, Project #PBA-22-00040.

Mailing Address: Duncan Prime, Esq.  
 14000 Horizon Way, Suite 325  
 Mount Laurel, NJ 08054

Type of Surety: Bond #S336318 for \$13,800.00  
 Bond #S336317 for \$45,500.00

Surety Expiration Date: September 7, 2024

Since all the required improvements are complete, it is being recommended to City Council that the surety be released in its entirety.

2. Levari Brothers Realty Office– 396 N. Mill Road, Block 2604, Lot 14, Project #PBA-22-00013.

Mailing Address: Scott Meandro  
 DRK Associates  
 2050 Industrial Way  
 Vineland, NJ 08360

Type of Surety: Check #5397 for \$10,500.00  
 Check #5398 for \$9,000.00  
 Check #5399 for \$1,200.00

Surety Expiration Date: N/A

Since all the required improvements are complete, it is being recommended to City Council that the surety be released in its entirety.

3. Davy Cold Storage Facility– 2055 DeMarco Drive, Block 1005, Lot 13, Project #PZ-18-00009.

Mailing Address: Davy Realty, LLC  
2055 DeMarco Drive  
Vineland, NJ 08360

Type of Surety: Check #1000509183 for \$6,500.00

Surety Expiration Date: N/A

Since all the required improvements are complete, it is being recommended to City Council that the surety be released in its entirety.

4. Rovagnati Meats– 2150 W. Oak Road, Block 1003, Lots 14 & 14.01, Project #PZ-19-00069.

Mailing Address: Rovagnati US Real Estate, LLC  
444 Madison Avenue, Suite 1206  
New York, NY 10022

Type of Surety: Check #1169917133 for \$17,400.00

Surety Expiration Date: N/A

Since all the required improvements are complete, it is being recommended to City Council that the surety be released in its entirety.

5. Planet Fitness at Vineland Crossing, Phase 3– 1255 W. Landis Avenue, Block 3503, Lot 5, Project #PZ-19-00031.

Mailing Address: Vineland Equity Investments, LLC  
917 Highmeadow Court  
Lancaster, PA 17601

Type of Surety: Check #8000053024 for \$19,600.00

Surety Expiration Date: N/A

Since all the required improvements are complete, it is being recommended to City Council that the surety be released in its entirety.

Very Truly Yours,

A handwritten signature in blue ink, consisting of a stylized 'D' followed by a long horizontal flourish.

David J. Maillet, P.E.  
City Engineer

DM/YP

xc: City Clerk  
Finance Dept.

**SURETY ESTIMATE FOR SITE SAFETY AND STABILIZATION**

Location: 1025 W. Landis Ave. (Block 3503, Lot 9)  
 Project: Chipotle  
 Project #: PBA-22-00040

Made by: RRH  
 Checked by: AR

Date: 5/10/2023  
 Date: 2/9/2024

| Improvement Description                       | Unit | Quantity | U-Price      | Total Amount      |
|---|------|----------|--------------|-------------------|
| <b>Total Performance Surety Cost Estimate</b> | LS   | 1        | \$455,200.00 | \$455,200.00      |
| Bond for Initial Cost of \$100,000.00         | LS   | 1        | \$5,000.00   | <b>\$5,000.00</b> |

| Improvement Description   | Amount Applied | Percentage Applied (%) | Bond Cost Applied | Cumulative Bond Subtotal |
|---|----------------|------------------------|-------------------|--------------------------|
| Bond for Improvement Costs Exceeding \$100,000.00 and Lower than \$1,000,000.00 | \$355,200.00   | 2.5%                   | \$8,880.00        | <b>\$13,880.00</b>       |

| Improvement Description                             | Amount Applied | Percentage Applied (%) | Bond Cost Applied | Cumulative Bond Subtotal |
|---|----------------|------------------------|-------------------|--------------------------|
| Bond for Improvement Costs Exceeding \$1,000,000.00 | \$0.00         | 1.0%                   | \$0.00            | <b>\$13,880.00</b>       |
| <b>TOTAL SURETY</b>                                 |                |                        |                   | <b>\$13,880.00</b>       |
| <b>BOND FOR:</b>                                    |                |                        |                   | <b>\$13,800.00</b>       |

*\*Improvements 100% complete - JMS*

**SURETY ESTIMATE FOR IMPROVEMENTS WITHIN PUBLIC RIGHT-OF-WAY**

Location: 1025 W. Landis Ave. (Block 3503, Lot 9)  
 Project: Chipotle  
 Project #: PBA-22-00040

Made by: RRH Date: 5/10/2023  
 Checked by: AR Date: 2/9/2024

| Improvement Description                     | Unit | Quantity | U-Price    | Total Amount       | Date-Inspect | %Complete | Balance           |
|---|------|----------|------------|--------------------|--------------|-----------|-------------------|
| <b>DEMOLITION</b>                           |      |          |            |                    |              |           |                   |
| Tree Removal                                | EA   | 2        | \$400.00   | \$800.00           | 2/9/2024     | 100%      | \$0.00            |
| Remove Existing Pavement                    | SY   | 340      | \$20.00    | \$6,800.00         |              | 100%      | \$0.00            |
| Remove Existing Concrete                    | SY   | 150      | \$20.00    | \$3,000.00         |              | 100%      | \$0.00            |
| <b>LANDSCAPING</b>                          |      |          |            |                    |              |           |                   |
| Seeding                                     | SY   | 300      | \$1.00     | \$300.00           |              | 100%      | \$0.00            |
| <b>GENERAL SITE IMPROVEMENTS</b>            |      |          |            |                    |              |           |                   |
| 6" Thick Dense Graded Aggregate             | SY   | 70       | \$15.00    | \$1,050.00         |              | 100%      | \$0.00            |
| 4" Thick Hot Mix Asphalt Base Course        | SY   | 70       | \$20.00    | \$1,400.00         |              | 100%      | \$0.00            |
| 2" Thick Hot Mix Asphalt I-5 Surface Course | SY   | 70       | \$9.00     | \$630.00           |              | 100%      | \$0.00            |
| Concrete Curb 6" x 18"                      | LF   | 70       | \$48.00    | \$3,360.00         |              | 100%      | \$0.00            |
| Decorative Sidewalk w/ Brick Course         | SY   | 56       | \$85.00    | \$4,760.00         |              | 100%      | \$0.00            |
| Decorative Lighting                         | EA   | 2        | \$2,000.00 | \$4,000.00         |              |           | \$4,000.00        |
| Remove Existing Curb                        | LF   | 135      | \$12.00    | \$1,620.00         |              | 100%      | \$0.00            |
| <b>SUBTOTAL</b>                             |      |          |            | <b>\$26,920.00</b> |              |           | <b>\$4,000.00</b> |
| Additional 20% Contingency                  |      |          | 0.20       | \$5,384.00         |              |           | \$800.00          |
| <b>TOTAL SURETY</b>                         |      |          |            | <b>\$32,304.00</b> |              |           | <b>\$4,800.00</b> |
| <b>BOND FOR:</b>                            |      |          |            | <b>\$32,300.00</b> |              |           | <b>\$4,800.00</b> |

Per MLUL (40:55D-53.e(1)), 30% to be retained **\$9,690.00**

*Any and all estimate items that have been noted above as 100% complete are so noted solely for the purposes of estimation and do not constitute full acceptance of such item(s). The City of Vineland reserves the right to seek additional performance relating to such item(s) and/or reduce the completion*

**\*Improvements 100% complete - JMS**

**SURETY ESTIMATE FOR PRIVATELY-OWNED PERIMETER LANDSCAPING BUFFER**

Location: 1025 W. Landis Ave. (Block 3503, Lot 9)  
 Project: Chipotle  
 Project #: PBA-22-00040

Made by: RRH      Date: 5/10/2023  
 Checked by: AR      Date: 2/9/2024

| Improvement Description    | Unit | Quantity | U-Price  | Total Amount       | Date-Inspect | %Complete | Balance       |
|----------------------------|------|----------|----------|--------------------|--------------|-----------|---------------|
| LANDSCAPING                |      |          |          |                    |              |           |               |
| Shade Trees                | EA   | 16       | \$500.00 | \$8,000.00         |              | 100%      | \$0.00        |
| Evergreen Trees            | EA   | 2        | \$200.00 | \$400.00           |              | 100%      | \$0.00        |
| Shrubs                     | EA   | 33       | \$30.00  | \$990.00           |              | 100%      | \$0.00        |
| SUBTOTAL                   |      |          |          | \$9,390.00         |              |           | \$0.00        |
| Additional 20% Contingency |      |          | 0.20     | \$1,878.00         |              |           | \$0.00        |
| <b>TOTAL SURETY</b>        |      |          |          | <b>\$11,268.00</b> |              |           | <b>\$0.00</b> |
| <b>BOND FOR:</b>           |      |          |          | <b>\$11,200.00</b> |              |           | <b>\$0.00</b> |

**Per MLUL (40:55D-53.e(1)), 30% to be retained      \$3,360.00**

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**\*Improvements 100% complete - JMS**



**SURETY ESTIMATE FOR PRIVATELY-OWNED PERIMETER LANDSCAPING BUFFER**

Location: 396 N. Mill Road (Block 2604 Lot 14)  
 Project: Levari Brothers Realty - Office  
 Project #: PBA-22-00013

Made by: RRH      Date: 8/10/2022 Rev 6/16/23  
 Checked by:      Date:

| Improvement Description    | Unit | Quantity | U-Price  | Total Amount      | Date-Inspect | %Complete | Balance       |
|----------------------------|------|----------|----------|-------------------|--------------|-----------|---------------|
| <b>LANDSCAPING</b>         |      |          |          |                   |              |           |               |
| Shade Trees                | EA   | 5        | \$500.00 | \$2,500.00        | 6/15/2023    | 100%      | \$0.00        |
| Evergreen Trees            | EA   | 25       | \$200.00 | \$5,000.00        | 6/15/2023    | 100%      | \$0.00        |
| <b>SUBTOTAL</b>            |      |          |          | <b>\$7,500.00</b> |              |           | <b>\$0.00</b> |
| Additional 20% Contingency |      |          | 0.20     | \$1,500.00        |              |           | \$0.00        |
| <b>TOTAL SURETY</b>        |      |          |          | <b>\$9,000.00</b> |              |           | <b>\$0.00</b> |
| <b>BOND FOR:</b>           |      |          |          | <b>\$9,000.00</b> |              |           | <b>\$0.00</b> |

**Per MLUL (40:55D-53.e(1)), 30% to be retained      \$2,700.00**

*Any and all estimate items that have been noted above as 100% complete are so noted solely for the purposes of estimation and do not constitute full acceptance of such item(s). The City of Vineland reserves the right to seek additional performance relating to such item(s) and/or reduce the completion*



**SURETY ESTIMATE FOR IMPROVEMENTS WITHIN PUBLIC RIGHT-OF-WAY**

Location: 396 N. Mill Road (Block 2604 Lot 14)  
 Project: Levari Brothers Realty - Office  
 Project #: PBA-22-00013

Made by: RRH Date: 8/10/2022  
 Checked by: Date: Rev 6/16/23

| Improvement Description          | Unit | Quantity | U-Price | Total Amount      | Date-Inspect | %Complete | Balance       |
|----------------------------------|------|----------|---------|-------------------|--------------|-----------|---------------|
| <b>GENERAL SITE IMPROVEMENTS</b> |      |          |         |                   |              |           |               |
| Restore Pavement                 | SY   | 45       | \$8.00  | \$360.00          | 6/15/2023    | 100%      | \$0.00        |
| Roadway Excavation               | CY   | 70       | \$10.00 | \$700.00          | 6/15/2023    | 100%      | \$0.00        |
| <b>SUBTOTAL</b>                  |      |          |         | <b>\$1,060.00</b> |              |           | <b>\$0.00</b> |
| Additional 20% Contingency       |      |          | 0.20    | \$212.00          |              |           | \$0.00        |
| <b>TOTAL SURETY</b>              |      |          |         | <b>\$1,272.00</b> |              |           | <b>\$0.00</b> |
| <b>BOND FOR:</b>                 |      |          |         | <b>\$1,200.00</b> |              |           | <b>\$0.00</b> |

**Per MLUL (40:55D-53.e(1)), 30% to be retained \$360.00**

*Any and all estimate items that have been noted above as 100% complete are so noted solely for the purposes of estimation and do not constitute full acceptance of such item(s). The City of Vineland reserves the right to seek additional performance relating to such item(s) and/or reduce the completion*

**SURETY ESTIMATE FOR SITE SAFETY AND STABILIZATION**

Location: 396 N. Mill Road (Block 2604 Lot 14)  
 Project: Levari Brothers Realty - Office  
 Project #: PBA-22-00013

Made by: RRH  
 Checked by:

Date: 8/10/2022  
 Date:

| Improvement Description                       | Unit | Quantity | U-Price      | Total Amount |
|---|------|----------|--------------|--------------|
| <b>Total Performance Surety Cost Estimate</b> | LS   | 1        | \$321,900.00 | \$321,900.00 |
| Bond for Initial Cost of \$100,000.00         | LS   | 1        | \$5,000.00   | \$5,000.00   |

| Improvement Description   | Amount Applied | Percentage Applied (%) | Bond Cost Applied | Cumulative Bond Subtotal |
|---|----------------|------------------------|-------------------|--------------------------|
| Bond for Improvement Costs Exceeding \$100,000.00 and Lower than \$1,000,000.00 | \$221,900.00   | 2.5%                   | \$5,547.50        | \$10,547.50              |

| Improvement Description                             | Amount Applied | Percentage Applied (%) | Bond Cost Applied | Cumulative Bond Subtotal |
|---|----------------|------------------------|-------------------|--------------------------|
| Bond for Improvement Costs Exceeding \$1,000,000.00 | \$0.00         | 1.0%                   | \$0.00            | \$10,547.50              |
| <b>TOTAL SURETY</b>                                 |                |                        |                   | <b>\$10,547.50</b>       |
| <b>BOND FOR:</b>                                    |                |                        |                   | <b>\$10,500.00</b>       |

100% Complete - RH - 6/5/23



### Maintenance Bond Amount

|   |      |                   |                 |              |              |           |              |
|---|------|-------------------|-----------------|--------------|--------------|-----------|--------------|
| Location: West Oak Road (BI 1003, Lots 14,14.1) |      | Made by: RRH      | Date: 9/14/2021 |              |              |           |              |
| Project: Rovagnati Meats Site Plan              |      | Checked by:       | Date:           |              |              |           |              |
| Project #: 19-00069                             |      |                   |                 |              |              |           |              |
| Improvement Description                         | Unit | Quantity          | U-Price         | Total Amount | Date-Inspect | %Complete | Balance      |
| LANDSCAPING                                     |      |                   |                 |              |              |           |              |
| Evergreen Trees                                 | EA   | 60                | \$200.00        | \$12,000.00  |              |           | \$12,000.00  |
| STORMWATER IMPROVEMENTS                         |      |                   |                 |              |              |           |              |
| Flared End Section                              | EA   | 5                 | \$3,500.00      | \$17,500.00  |              |           | \$17,500.00  |
| Headwall  | EA   | 1                 | \$3,500.00      | \$3,500.00   |              |           | \$3,500.00   |
| Basin Outlet Structure                          | EA   | 1                 | \$3,500.00      | \$3,500.00   |              |           | \$3,500.00   |
| Basin Excavation                                | CY   | 8,000             | \$10.00         | \$80,000.00  |              |           | \$80,000.00  |
| SUBTOTAL  |      |                   |                 | \$116,500.00 |              |           | \$116,500.00 |
|   |      |                   |                 |              |              |           | \$0.00       |
| <b>TOTAL MAINTENANCE</b>                        |      | (15% of Subtotal) |                 | \$ 17,475.00 |              |           | \$ 17,475.00 |
| <b>BOND FOR:</b>                                |      |                   |                 | \$ 17,400.00 |              |           | \$ 17,400.00 |
|   |      |                   |                 |              |              |           |              |
|   |      |                   |                 |              |              |           |              |
|   |      |                   |                 |              |              |           |              |
|   |      |                   |                 |              |              |           |              |
|   |      |                   |                 |              |              |           |              |

### Maintenance Bond Amount

| Location: W. Landis Ave. (Block 3503 Lot 5)            |      | Made by: RRH     | Date: 11/24/2020 |              |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
|--|------|------------------|------------------|--------------|--------------|-----------|--------------|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Project: Planet Fitness at Vineland Crossing - Phase 3 |      | Checked by:      | Date:            |              |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Project #: 19-00031                                    |      |                  |                  |              |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Improvement Description                                | Unit | Quantity         | U-Price          | Total Amount | Date-Inspect | %Complete | Balance      |  |  |  |  |  |  |  |  |  |  |  |  |  |
| STORMWATER IMPROVEMENTS                                |      |                  |                  |              |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Solids Separator Unit                                  | EA   | 2                | \$20,000.00      | \$40,000.00  |              |           | \$40,000.00  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Subsurface Basin                                       | SF   | 22,700           | \$15.00          | \$340,500.00 |              |           | \$340,500.00 |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Basin Outlet Structure                                 | EA   | 2                | \$6,000.00       | \$12,000.00  |              |           | \$12,000.00  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| SUBTOTAL   |      |                  |                  |              | \$392,500.00 |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>TOTAL MAINTENANCE</b>                               |      | (5% of Subtotal) |                  | \$ 19,625.00 |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>BOND FOR:</b>                                       |      |                  |                  | \$ 19,600.00 |              |           |              |  |  |  |  |  |  |  |  |  |  |  |  |  |