



JOHN H. ALLGAIR, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

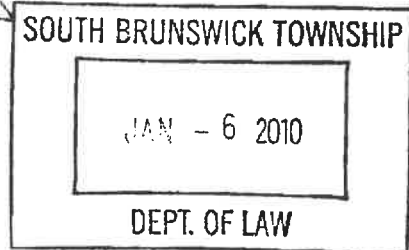
TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
ERNEST J. PETERS, JR., P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E.
BEHRAMTURAN, P.E.

MEMO TO: Donald Sears – Director of Law

FROM: Jay B. Cornell, P.E. – Township Engineer's Office

DATE: January 5, 2010

SUBJECT: Buckingham Place at South Brunswick, LLC
Bond Release Request
Block 97, Lot 13.07
South Brunswick File No.: 96-012A
Our File No. PSOZ0097.01



In accordance with the request of your December 17, 2009 memo, our office has reviewed the December 15, 2009 letter from Peter J. Saker, Inc. relative to the status of the punchlist work associated with the above referenced project.

In order to determine the current status of this project our office performed the following tasks:

1. Review of CME Associates files
2. Review of Township of South Brunswick files
3. Review of CME Billing Invoices submitted to Township
4. Review of project status with Township Finance Department.
5. Discussion of project status with site inspectors

As you are aware, in November 2002 a request for the release of the bonds for the Buckingham Place project was denied by the Mayor and Council. At that time an October 2002 punchlist highlighted the work that remained to be completed on the project before the bonds could be released.

After the rejection of the bond release request, our office was contacted by Peter J. Saker, Jr. in order to review the outstanding punchlist items. Over the course of the next year various letters from Mr. Saker relative to the project punchlist were received. In addition various inspections were performed by our office in order to review punchlist repairs performed by the Contractor. We are providing herein copies of the various letters received from Mr. Saker relative to the punchlist work on the project.

With regard to the site related punchlist items, our field inspector William Rutan was contacted in order to determine his recollection of the project status. Mr. Rutan indicated he performed various inspections in the Fall of 2003. Our billing records did confirm various spot inspections during the months of September and October 2003 in order to review the punchlist



Don Sears, Esq.
January 5, 2010
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work being performed. Although these inspections were performed, Mr. Rutan indicated that all of the items on the October 2002 punchlist were never totally completed.

In reference to the site landscaping related punchlist items, our Landscape Architect Joseph Savona was contacted in order to determine his recollection of the project status. Mr. Savona indicated he performed various inspections in the Spring / Summer of 2003. Our billing records did confirm various inspections during the months of April, May, June and July of 2003. Although Mr. Savona did recall the majority of the landscaping items being addressed, his notes indicated that he spoke with Mr. Saker on July 3, 2003 to advise him of the remaining items on the punchlist to be corrected. Mr. Savona indicated that he was never contacted to perform a follow-up inspection after his July 3, 2003 conversation with Mr. Saker.

In reviewing the correspondence in our files from Mr. Saker, the attached March 19, 2004 letter acknowledges that punchlist items were still outstanding. Our billing records do not indicate any work being performed on the project since October 2003. Therefore this would serve to confirm our position that the punchlist items were never totally completed.

At this time, after a six (6) year time frame, the question as to how to resolve this matter needs to be decided. During our recent review of this project with the Township Finance Department we were advised that, contrary to their previous review, they still do have approximately \$1,500.00 remaining in escrow fees which could be utilized to perform some additional site inspections.

Based upon our review it appears that the majority although not all of the items contained in our October 2002 punchlist were previously addressed. Since we are dealing with private improvements on private property, it would be suggested that a general inspection of the site be performed rather than preparing an updated punchlist. As long as no major problems are discovered, the existing bonds could be released.

Please review this proposal and advise as to how to proceed.

JBC/blr

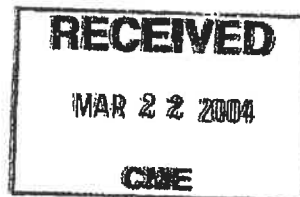
cc: Mayor Frank Gambatese
Township File



P J S Peter J. Saker, Inc.
General Contractor

P.O. Box 49, Freehold, New Jersey 07728
732-462-9200 Fax 732-780-2437

Is 2004-01
Buckingham Place



March 19, 2004

Mr. Jay Cornell
C M E Engineering
3141 Bordentown Avenue
Parlin, NJ 08859

**RE: PUNCHLIST ITEMS
BUCKINGHAM PLACE
ASSISTED LIVING
SOUTH BRUNSWICK, NEW JERSEY
MY LETTER TO YOU 20 OCTOBER 03**

Dear Mr. Cornell:

As I sit here on the 19th of March looking out the window at approximately 5 or 6 inches of snow on the ground, I find it difficult to write and ask you for an inspection of our Buckingham Place site in early Spring of 04. Tomorrow is the first day of Spring, therefore early Spring is upon us.

In my letter of 20 October 03, I believe I outlined the situation as I saw that it existed on our site. I would greatly appreciate your reviewing this letter and getting back to me at your convenience so that we might meet and review the open items on this project.

It is my desire as the contractor to get these issues resolved and the bonds whether they be by the contractor or the owner released as soon as possible. If you have any questions or problems, please don't hesitate to contact me.

Again, awaiting your response.

Very truly yours,

Peter J. Saker Jr.

PSJ.mdo
PSJ.JAYCORNELL.31904

cc: Vince Matuza
Dean Vlecides

Memorandum

To: Larry Merk, Director of Utilities
Raymond Olsen, Director of Public Works
Robert Griggs, Utilities Supervisor
Tom Kazanski, Road Supervisor

From: Donald J. Sears, Director of Law

Date: December 29, 2009

Re: Buckingham Place Punchlist



For some time, I have been trying to resolve whether outstanding items remain open from the October 2002 punchlist prepared for this project by CME Associates. A copy of the October 2002 punchlist is attached for your reference.

Please review the punchlist and advise if the items on the punchlist that relate to your area of expertise have been and/or were repaired at some point between October 2002 and today.

Please note that I am not trying to prepare another punchlist. I simply want to determine if any of the items listed on the October 2002 punchlist were left unrepaired.

Thank you for your prompt attention to the above. If you have any questions or comments, please do not hesitate to contact me.

DJS/lw
Attachment

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TOWNSHIP OF SOUTH BRUNSWICK
BUCKINGHAM PLACE SITE PLAN

PUNCHLIST

P-SO-Z0097-01
October, 2002

I. CURBS

1. Raymond Road - 10 lf of curb is cracked/broken, 6th section left of utility pole #86755SB (poured concrete curb) (see diagram)
2. Deepark Road - replace 1 belgian block curb opposite side of road from emergency access road (see diagram)
3. Raymond Road - 10 lf of curb is cracked/broken
4. Deepark Road - 1 belgian block is cracked/broken

II. SIDEWALK

1. Raymond Road - 20 sf of sidewalk (handicap ramp) cracked/damaged at entrance to Raymond Road right side (see diagram)
2. Back of Building - rec/chapel right side - 75 sf of sidewalk cracked/damaged replace 3 sections
3. Back of Building - left side, 16 sf of sidewalk cracked/damaged
4. Back of Building - right side of building, 20 sf of damaged sidewalk
5. Raymond Road - 100 sf of sidewalk by the fire hydrant (shown in diagram) is heaved needs to be replaced.

III. STORM SEWER SYSTEM

1. Inlet A6 - Stm MH 5.A - water in storm sewer pipe
2. Inlet A2-1 - water in channel of pipe
3. Inlet A4 - toward Deer Park Road - RCP half filled with soils
4. Inlet D2 - FES D3 RCP pipe bows in center of run, debris build up, remove debris, repair pipe run
5. Low Flow channel - remove or replace 3 sections of the low flow channel (4 cracks in 3 sections)
6. Inlet No. A6 - in front of building right side along emergency access road around building, mortar casting, water in inlet and channel.
7. Inlet E4 - remove sand and debris
8. Inlet A-5 inlet at entrance at Raymond Road left side - relocate ladder rungs,
9. Inlet E3 - remove sand and debris
10. Inlet E3-2 - plaster wall with 1/2" thick mortar
11. Inlet D2 - grate is cracked/broken, remove sand and debris
12. Inlet E2 - mortar casting, plaster walls with 1/2" thick mortar, remove sand and debris



Township of South Brunswick
Buckingham Place Site Plan
Page 2

Done as
per DPW

13. Inlet C2 – mortar casting, remove filter fabric.
14. Inlet A4 – mortar casting, remove sand and debris
15. Inlet A2-4 structure – mortar casting
16. Inlet A2 – remove sand and debris
17. Inlet A10 – remove sand and debris
18. Inlet A2-1 – water in channel.
19. MH No. A5.A – ladder rungs are out of alignment.
20. MH No. A2-1 – water in channel.
21. Provide storm sewer as-builts for review.
22. Detention basin certification to be provided.

1/12/10:

Done as
per
Larry Merk
& Bob Briggs

IV. **SANITARY SEWER SYSTEM**

1. San MH #61 – mortar frame, mortar brick course, additional ladder rungs are required.
2. Provide sanitary sewer as-builts for review
3. Township Sewer Department to verify approval of sanitary improvements

V. **WATER DISTRIBUTION**

1. Provide water as-builts for review
2. Township Water Department to verify approval of valves, curb stops, fire hydrants and etc.

VI. **PAVEMENT**

1. Assisted Living Facility Parking Lot opposite detention basin - 2 areas sunken and 1 large area disfigured and some cracks

VII. **MISCELLANEOUS**

1. All outstanding conditions of Resolution of approval to be addressed.
2. Install traffic control signs and striping as per approved plan
3. Landscaping needs repair around sidewalk and fire hydrants along Raymond Road.
4. Rip-rap not installed in accordance with approved plans.
5. Curb and sidewalk improvements along Raymond Road to be completed in accordance with approved plan
6. Outstanding landscaping punchlist items to be completed.





JOHN H. ALLGAIR, P.E., P.P. (1983-2001)
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MEMORANDUM

DATE: October 30, 2002
TO: Jay Cornell, PE
FROM: Joe Savona, CLA
RE: Buckingham Place
Follow-up Overall Landscape Evaluation
Our File: P-SO-Z0097-01

Please be advised that a follow-up landscape evaluation was performed at the above-referenced site on October 21, 2002 to confirm the proposed landscape materials as indicated on the approved Landscape Plan, dated September 19, 1997 last revised December 7, 1999 were satisfactorily installed and the corrective work per our previous punch list dated November 7, 2001 was satisfactorily addressed. The following items are deficient and in need of corrective work:

West Side of Raymond Road Entrance:

1. Replace two (2) dead LEFO (Rainbow Leucothoe) within a grouping of 3.
2. Provide two (2) missing HEST (Stella 'D' Oro Yellow Daylily) within a grouping of 14.
3. Provide one (1) missing COFL (Flowering Dogwood).

North and West Side of Emergency Access:

4. Replace one (1) dead and provide one (1) missing PIST (Eastern White Pine) within a grouping of 4 located west of the building.
5. Provide one (1) missing MYPE (Northern Bayberry) within a grouping of 4 located west of the building.
6. Provide one (1) missing PIOM (Sebian Spruce) within a grouping of 7.

Parking Area South of Facility along Woodline:

7. Replace one (1) PIST (Eastern White Pine) with a broken central leader within a grouping of 4.

G:\SEC\GENERAL\P-SO-Z0097-01 Land Eval 10-30-02.doc

CONSULTING AND MUNICIPAL ENGINEERS

1480 ROUTE 9 SOUTH, HOWELL, NEW JERSEY 07731 — (732) 482-7400 — FAX: (732) 406-0786



As per
CME:
At last
inspection
in 7/03,
majority
done.

Memo
Re: Buckingham Place
Landscape Evaluation



October 30, 2002
P-SO-Z0087-01
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Southern Detention Basin along East Side of Site:

8. Remove one (1) existing Norway Maple (approx. 9" caliper) located at the east side of the basin since it has an excessive lean and poses a safety hazard.
9. Provide seven (7) missing MYPE (Northern Bayberry) within a grouping of 8.
10. Replace one (1) unapproved substitution of River Birch for TADI (Bald Cypress) located at the northern end of the basin.

Northern Detention Basin along East Side of Site:

11. Provide three (3) missing VIDE (Arrowwood Viburnum) within a grouping of 5 located near the outlet structure at the south end of the basin.
12. Replace two (2) unapproved substitution of River Birch for TADI (Bald Cypress).
13. Replace one (1) dead ILCG (Green Luster Holly) within a grouping of 7 located along the east side of the basin near the south end of the basin.
14. Provide one (1) missing ILCG (Green Luster Holly) within a grouping of 4 located along the east side of the basin near the center.
15. Provide the appropriate pesticide treatment for one (1) TADI (Bald Cypress) showing signs of bag worm infestation.
16. Provide three (3) missing MYPE (Northern Bayberry) within a grouping of 5 located at the north end of the basin.
17. Provide four (4) missing MYPE (Northern Bayberry) within a grouping of 10 located near the northwest corner of the basin.
18. Provide three (3) missing ILCG (Green Luster Holly) within a grouping of 10 located near the northwest corner of the basin.
19. Replace two (2) dead EUAC (Dwarf Winged Euonymus) within a grouping of 9 located near the northwest corner of the basin.
20. Replace four (4) dead and provide eight (8) missing EUAC (Dwarf Winged Euonymus) within a grouping of 19 located along the west side of the basin.
21. Replace six (6) dying and provide two (2) missing EUAC (Dwarf Winged Euonymus) within a grouping of 12 located along the west side of the basin.





Memo
Re: Buckingham Place
Landscape Evaluation

October 30, 2002
P-SO-Z0087-01
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- 22. Replace three (3) dead and provide two (2) missing EUAC (Dwarf Winged Euonymus) within a grouping of 10 located along the west side of the basin.
- 23. Replace two (2) dead EUAC (Dwarf Winged Euonymus) within a grouping of 4 located at the southwest corner of the basin.

East of the Raymond Road Entrance:

- 24. Provide one (1) missing COFL (Flowering Dogwood).

Foundation Plantings along the Perimeter of the Facility:

- 25. Provide one (1) missing COFL (Flowering Dogwood) located at the north side of the Recreation Chapel.
- 26. Provide one (1) additional AMLA (Snow Cloud Allegheny Serviceberry) to compensate for two (2) undersized AMLA within a grouping of located near the south west corner of the Assisted Living Facility near the emergency access.
- 27. Replace three (3) dying GLTH (Halka Honeylocust) in poor physical condition located along the sidewalk west of the facility's main entrance.
- 28. Provide three (3) missing PEAL (Dwarf Fountain Grass) within a grouping of 6, provide one hundred seventy five (175) missing HEHE (English Ivy) within a grouping of 175 located west of the facility's main entrance.
- 29. Replace one (1) dead GLTH (Halka Honeylocust) and provide six (6) missing HEST (Stella 'D' Oro Yellow Daylily) within a grouping of 18 located within the parking lot island east of the facility's main entrance.
- 30. Replace two (2) dead ACSG (Green Mountain Sugar Maple) located within the corner parking lot island near the northeast corner of the building.
- 31. Provide one (1) missing COFL (Flowering Dogwood) located at the northeast corner of the building.
- 32. Replace one (1) dying GLTH (Halka Honeylocust) in poor physical condition located near the center of the east side of the facility.
- 33. Provide three (3) missing and replace one (1) dying THOC (Dark American Arborvitae) within a grouping of 8 located at the southeast corner of the building.



Memo
Re: Buckingham Place
Landscape Evaluation



October 30, 2002
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- 34. Replace two (2) dying RHCR (Roseum Elegans Rhododendron) within a grouping of 3 and provide one (1) missing RHCR (Roseum Elegans Rhododendron) within a grouping of 7 located at the southeast corner of the building.
- 35. Provide two (2) missing ILCG (Green Luster Holly) within a grouping of 5 and provide one (1) missing SPGL (Little Princess Spirea) located near the east side of the cul-de-sac south of the Recreation Chapel.
- 36. Provide three (3) missing ARAR (Brilliant Red Chokeberry) within a grouping of 6 located along the west side of the building near the Service / Loading Area.

General Comments

- 37. A significant quantity of foundation plantings are identified on the approved plans as being, "coordinated and designed with the final architectural." The planting plans which specify the overall foundation plantings should be provided to our office for review and approval prior to the designated areas (currently empty mulch beds) being planted. Also, some areas of the foundation plantings along the north side of the building were incomplete at the time of the field walks.
- 38. A substitution letter should be provided to our office for review and approval for all substitutions indicated as being "unapproved".
- 39. All replacement trees and shrubs shall be sized, installed and staked as per the approved plan. Any plant substitutions shall be submitted in writing to the Township Engineer for approval prior to installation.

