RESOLUTION NO. R-71-2026

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING APPLICATION, PERMIT FEE, FORM OF PERFORMANCE GUARANTEE AND INSPECTION ESCROW (SOIL AND FILL IMPORTATION AND PLACEMENT PERMIT) SUBMITTED FOR APPROVAL FOR THE SILVERGATE PROJECT (PHASE 1) AFFECTING THE PARCELS KNOWN AS BLOCK 56, LOTS 4, 11.02, 12 AND 13 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY

WHEREAS, D.R. Horton, Inc. – New Jersey's subcontractor, Forestar (USA) Real Estate Group, Inc., has requested approval for certain soil and fill importation and placement for Block 56, Lots 4, 11.02, 12 and 13, on the Official Elk Township Tax Map; and

WHEREAS, the Applicant has submitted Performance Surety Bond No. 800219384 dated March 18, 2026, for the Soil and Fill Importation and Placement Permit in the amount of $103,500.00, issued by Atlantic Specialty Insurance Company pursuant to the Improvement Cost Estimate dated March 31, 2026; and

WHEREAS, the Applicant has also submitted cash payment in the amount of $5,000.00 for the Engineering Inspection Escrow to the Township Clerk; and

WHEREAS, the Applicant has also submitted cash payment in the amount of $11,500.00 for the required 10% Cash Bond to the Township Clerk pursuant to the Improvement Cost Estimate dated March 31, 2026; and

WHEREAS, the Applicant has also submitted cash payment in the amount of $12,000.00 for the Soil and Fill Importation and Placement Permit Fee to the Township Clerk pursuant to the Improvement Cost Estimate dated March 31, 2026; and

WHEREAS, the Elk Township Solicitor has reviewed the form of Performance Surety Guarantee, which has been submitted by the Applicant, and has approved the amount and form of said Performance Surety Guarantee; and

WHEREAS, the Elk Township Solicitor has reviewed the form of cash payment for the Inspection Escrow, and has approved the form of said cash payment; and

WHEREAS, the Elk Township Solicitor has reviewed the form of cash payment for the Soil and Fill Importation and Placement Permit, and has approved the form of said cash payment; and

WHEREAS, the Elk Township Committee has reviewed the aforesaid opinion of the Township Solicitor and, based upon the opinion of the Township Solicitor, has determined that the submitted form of Performance Bond and cash payments for the Inspection Escrow and Soil and Fill Importation and Placement Permit amounts are acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Elk, Gloucester County, New Jersey, as follows:

1. The Soil and Fill Importation and Placement Permit Application is hereby approved.

2. The form of Performance Surety Bond No. 800219384 dated March 18, 2026, for the Soil and Fill Importation and Placement Permit in the amount of $103,500.00, issued by Atlantic Specialty Insurance Company is hereby approved, and the Township Clerk may accept said Performance Surety Bond upon receipt of the original documents.

3. Cash payment in the amount of $5,000.00 for the Engineer Inspection Escrow is hereby approved, and the Township Clerk may accept said payments.

4. Cash payment in the amount of $11,500.00 for the 10% Cash Bond is hereby approved, and the Township Clerk may accept said payments.

5. Cash payment in the amount of $12,000.00 for the Soil and Fill Importation and Placement Permit Fee is hereby approved, and the Township Clerk may accept said payments

6. When the balance of the initial escrow amount deposited by the applicant for inspection fees drops to 10% of the total inspection fee amount, the developer shall make additional deposits of 25% of the total inspection fee estimate. The Township Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit with the Treasurer.

7. The approval granted herein is given in reliance upon all representations made by the Applicant, including drawings, plans and other materials filed in connection with this application, and those items specifically referred to and/or incorporated in all Resolutions(s) adopted by the Elk Township Committee relating to the Applicant's project.

8. The Township Clerk is directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Engineer and the Elk Township Treasurer.

ADOPTED at a Regular Meeting of the Elk Township Committee held April 2, 2026.

TOWNSHIP OF ELK

BY: _____
JAMES RAMBO, Mayor

ATTEST:

_____
TIMOTHY PINE, Acting Township Clerk

ROLL CALL VOTE				
COMMITTEE	**AYE**	**NAY**	**ABSTAIN**	**ABSENT**
Cammarata	✓			
Cowan	✓			
Lucas				✓
Sammons	✓			
Rambo	✓			

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on April 2, 2026, in the Elk Township Municipal Building, 680 Whig Lane, Monroeville, New Jersey.

_____
TIMOTHY PINE
Acting Clerk