

Resolution of the Demarest Governing Body

Resolution No. 158-26

August 24, 2026

Council Member	Motion	Second	Yes	No	Abstain	Absent
Slowikowski			✓			
Carmeli			✓			
Collins	✓		✓			
Jiang		✓	✓			
Marks			✓			
Reiss			✓			

TITLE: RESOLUTION AUTHORIZING RELEASE OF A SURETY BOND WRITTEN BY THE SERVICE INSURANCE COMPANY, INC. IN THE AMOUNT OF THIRTY-THREE THOUSAND NINE HUNDRED AND 00/100 DOLLARS (\$33,900.00) IN CONNECTION WITH BLOCK 130, LOT 12, COMMONLY KNOWN AS 64 HIGHLAND AVE., DEMAREST, NEW JERSEY 07627

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WHEREAS, on or about September 10, 2025, a performance surety bond issued by The Service Insurance Company, Inc. in the amount of Thirty-Three Thousand Nine Hundred And 00/100 Dollars (\$33,900.00) (the "Performance Bond") was posted with the Borough in connection with improvements made to Block 130, Lot 12 and commonly known as 64 Highland Ave. on the tax map of the Borough of Demarest (the "Property"); and

WHEREAS, the Performance Bond was issued to guarantee the full completion of all required work as approved by the Borough; and performance to remain in full force and effect; and

WHEREAS, the Performance Bond was to remain in full force and effect until such time as all improvements covered by the bond have been approved by the Borough Engineer and a Certificate of Occupancy issued; and

WHEREAS, the Borough Engineer has confirmed that all work in connection with the Property has been completed and as a result a Certificate of Occupancy has been issued; and

WHEREAS, with the issuance of the Certificate of Occupancy, the improvements guaranteed by the Performance Bond have been completed and the Performance Bond should be released; and

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the performance surety bond issued by The Service Insurance Company, Inc. in the amount of Thirty-Three Thousand Nine Hundred And 00/100 Dollars (\$33,900.00), posted with the Borough in connection with improvements made to Block 130, Lot 12 and commonly known as 64 Highland Ave. on the tax map of the Borough of Demarest, is hereby released.

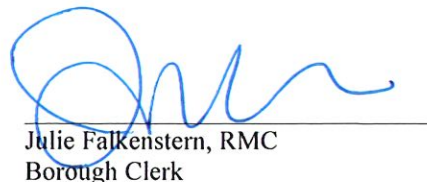
APPROVED:



Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, Borough Clerk of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on August 24, 2026.



Julie Falkenstern, RMC
Borough Clerk

July 10, 2026

Dot Haight
Building Department
Borough of Demarest
118 Serpentine Road
Demarest, NJ 07627

64 Highland Ave
Block 130, Lot 12
Proposed Dwelling
Certificate of Occupancy Review
Colliers Engineering & Design Project No. DEP0241

Dear Ms. Haight:

As requested, our office has reviewed the following documents in relation to the above-referenced application for the proposed construction of a two-story dwelling, two car garage, rear patio, paver driveway, drainage improvements, and other related appurtenances on the property. The Applicant is now requesting a Certificate of Occupancy (CO) for the complete improvements.

The following documents were considered as part of this review:

- 1) Site plans consisting of two (2) sheets, prepared and signed by Mark S. Martins P.E., of Mark Martins Engineering LLC, July 24, 2025;
- 2) Drainage Calculations prepared and signed by Mark S. Martins P.E., of Mark Martins Engineering LLC, July 23, 2025;
- 3) Architectural Plans consisting of eleven (11) sheets prepared by Joseph M. Donato R.A, dated June 26, 2025;
- 4) As-Built consisting of one (1) sheet, prepared and signed by Mark S. Martins P.L.S., of Mark Martins Engineering LLC, June 12, 2026;
- 5) Final inspection report prepared by John Pampaloni of CED, dated June 18, 2026.

After our review of the approved plans, final as-built, and a final inspection, we offer the following comments:

1. Colliers conducted a final inspection of the property on June 18, 2026, and confirmed during our final inspection that the as-built is accurate of what was constructed.
2. We note the As-Built survey depicts a final coverage of 2,947 SF (29.25%), the proposed coverage per the approved plan was 2,963.7 SF (29.64%), We take no exception. The max coverage in this zone is 30%.

Our office has reviewed the application, and based on the above, this office **does recommend** that a certificate of occupancy be approved at this time.



Should you have any questions, you may contact me at (973) 398-3144, extension 4561.

Sincerely,

Colliers Engineering & Design

A handwritten signature in blue ink, appearing to read "NCh", with a long horizontal flourish extending to the right.

Nick Chelius, P.E.
Borough Engineer

NHC/tc

cc: Michael Greco, Deputy Borough Clerk (mgreco@demarestnj.gov)
64 Highland LLC, Applicant, (jfinanbuilders@gmail.com)
Mark Martins, Applicant's Engineer (via e-mail)

THE SERVICE INSURANCE COMPANY, INC.
(in CT, GA, KY, MA, MD, MS, MT, NH, NJ, NY, PA, RI, TN & WV)
(d/b/a Service Guarantee and Surety Company in DC, DE, NC & SC)
Service Guarantee and Surety Company (used in FL by: The Service Insurance Company, Inc.)
Service Guarantee and Surety Co. (used in VA by: The Service Insurance Company, Inc.)
80 Main Street, Suite 330
West Orange, New Jersey 07052
Telephone: (973) 731-7650 - Fax: (973) 731-7889

SITE IMPROVEMENT PERFORMANCE BOND

TERM: 9/10/2025 - 9/9/2026 AND SHALL BE RENEWED ANNUALLY UNTIL RELEASED BY OBLIGEE.

KNOW ALL MEN BY THESE PRESENTS:

BOND NO. 63286

That We **JOHN FINAN BUILDERS LLC**, as Principal(s), and **JOHN FINAN**, as Co-Principal(s), and **THE SERVICE INSURANCE COMPANY, INC.**, **80 MAIN ST., WEST ORANGE, NJ 07052**, a New Jersey corporation authorized to do business in the State of New Jersey and New York, as surety, are held and firmly bound unto **BOROUGH OF DEMAREST** as Obligee, in the sum of **THIRTY-THREE THOUSAND NINE HUNDRED AND 00/100 DOLLARS (\$33,900.00)**, lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally firmly by these presents.

SIGNED, SEALED AND DATED THIS DAY OF Wednesday, September 10, 2025.

Whereas, the Principal has entered into an agreement with **BOROUGH OF DEMAREST**, as Obligee, the Principal will complete those site improvements subject to N.J.S.A. 40:55D-37-59 for certain site plan entitled **LOT 12, BLOCK 130, 64 HIGHLAND AVENUE DEMAREST, NJ 07627**, as per the **Engineers Estimate dated September 2, 2025**, and labeled **Exhibit A** all of which improvements shall be completed on or before the date set forth in the agreement.

Now, therefore, the condition of this obligation is such, that if the named Co-Principal(s) shall carry out all of the terms of said Developer's Agreement relating to the construction of said site improvements only, all within the time set forth in said Developer's Agreement, then this obligation shall be null and void, otherwise to remain in full force and effect. This bond is not transferable or assignable, nor are the rights and obligations of the Principal or the Obligee transferable or assignable.

No party other than the Obligee shall have any rights hereunder as against the Surety.

The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval as expressed in the Developer's Agreement, whether with its own employees or in conjunction with the Co-Principal(s) or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.

BOND NO. 63286

The Surety's aggregate liability of the Bond Obligation set forth herein shall not exceed the penal sum hereof for any cause or reason whatsoever, inclusive of attorney's fees or other costs. Exclusion: This bond and any related bonds do not cover site improvements that have been performed by either Co-Principal prior to the issue date of this bond or to any improvements outside of either Co-Principal's specified improvement in its Developer's Agreement under N.J.S.A. 40:55D-37 to 59 or to any maintenance obligations. Exclusions include contaminated soil. The Obligatee agrees to withhold certificates of occupancy until this bond is released or upon the consent of surety. The Obligatee may not issue any certificate(s) of occupancy to any person or entity who succeeds to the Co-Principals' rights to the subject project (or any aspect of it) by transfer of the subject property (or any portion thereof) or transfer of the entity(ies) which may own it (or any portion thereof), without first having first received a new site improvement bond as Obligatee from such new Principal(s), which shall replace this bond for its penal sum in full.

SIGNED AND SEALED THIS Wednesday, September 10, 2025.

SURETY EMBOSSED CORPORATE SEAL MUST
APPEAR ON BOND FORM AND POWER OF
ATTORNEY

WITNESS

PRINCIPAL JOHN FINAN BUILDERS LLC

WITNESS

CO-PRINCIPAL JOHN FINAN

WITNESS

THE SERVICE INSURANCE COMPANY, INC.

JAMES S BURGER, PRESIDENT

