

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) acquired through an In Rem Tax Foreclosure, the Properties located at 18 Central Avenue, Block 9, Lot 36 (“18 Central”), and 4 Tompkins Street, Block 7, Lot 22 (“4 Tompkins”) on the Tax Map of the Township of West Orange (collectively the “Properties”); and

WHEREAS, on August 9, 2016, the Township adopted resolution 189-16 to authorize Matrix New World (“Matrix”) to apply for grant funds from the New Jersey Department of Environmental Protection/New Jersey Economic Development Authority (the “DEP”) Hazardous Discharge Site Remediation Funds (the “HDSRF”) Program for the purpose of funding the costs for performing the Preliminary Assessment and Site Investigation on the Properties; and

WHEREAS, the Township received an award of \$77,237.90 from the HDSRF Program to fund the Preliminary Assessment and Site Investigation on the Properties; and

WHEREAS, on March 7, 2017, the Township adopted resolution 75-17, to authorize Matrix to perform the Preliminary Assessment and Site Investigation on the Properties; and

WHEREAS, the Preliminary Assessment and Site Investigation on the Properties identified the existence of an underground storage tank in 18 Central (the “18 Central UST”) and an underground storage tank in 4 Tompkins (the “4 Tompkins UST”) (collectively the “USTs”); and

WHEREAS, on April 10, 2018, the Township adopted resolution 102-18 authoring Matrix to submit to the DEP a supplemental application to the HDSRF Program which included an application for additional grant funding for the preparation of a Remedial Investigation Workplan for the Properties and for the implementation of the closure of the USTs and related remediations; and

WHEREAS, the Township’s application for supplemental HDSRF Grant funds would provide 75% of the funding for the implementation of the closure of the USTs and related remediations for removal of the USTs; and

WHEREAS, the DEP required that a separate application be filed for each of the USTs; and

WHEREAS, on December 11, 2018, the Township adopted resolution 270-18 authoring the Township to enter into a Second Amendment to the Interim Redevelopment Agreement with the Alpert Group (the “Interim Redeveloper”) whereby the Interim Redeveloper agreed to provide the remaining 25% funding for the removal of the 18 Central UST, a copy of the Second Amendment to the Interim Redevelopment Agreement is annexed hereto as Exhibit “A;” and

WHEREAS, by letter dated April 5, 2019, the DEP through the New Jersey Economic Development Authority (the “EDA”) notified the Township that it has approved the supplemental application for additional grant funding for the implementation of the closure of the 18 Central UST and related remediations for removal of the 18 Central UST in the amount of \$41,934 representing 75% of the costs for closure and removal of the 18 Central UST; and

WHEREAS, on May 14, 2019, the Township adopted Resolution 132-19 which authorized the Township to accept the supplement HDSRF grant funding and execution of the Grant Letter Agreement provided by the DEP and EDA; and

WHEREAS, the DEP and EDA require that the Township enter into an agreement for the implementation of the closure of the 18 Central UST and related remediations for removal of the 18 Central UST to finalize the award of the supplemental HDSRF grant funding to fund the removal and related remediation for the 18 Central UST; and

WHEREAS, Matrix has submitted a proposal for the for the implementation of the closure of the USTs and related remediations for removal of the USTs, annexed hereto as Exhibit “**B**” (the “Proposal”) consistent with the requirements of the award of the supplemental grant funding and consistent with the amount of the supplemental grant award.

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township be and is hereby authorized to retain Matrix to for the implementation of the closure of the 18 Central UST and related remediations for removal of the 18 Central UST consistent with the requirements of the DEP and EDA’s award of supplemental grant funds through the HDSRF Program; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the acceptance of the Proposal annexed hereto as Exhibit “**B**,” and be it further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor's signature; and be it further

RESOLVED that a copy of this resolution shall be made available in the Clerk's Office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Township Clerk

Cindy Matute-Brown
Council President

Adopted: February 9, 2021

I hereby certify funds are available from: _____
Account No.

John Gross, Chief Financial Officer