

RESOLUTION

WHEREAS, on October 11, 2021, the Township received certain communication from Langan Engineering and Environmental Services, Inc. (“Langan”) concerning property located at 275 Northfield Avenue also known as Block 81.01, Lot 1.02 on the Tax Map of the Township of West Orange (the “Property”); and

WHEREAS, the Township evoked its emergency powers to safeguard the Property and address certain immediate health and safety issues which constituted an imminent threat to the Property and its residents; and

WHEREAS, on October 12, 2021, the Township Council adopted Resolution No. 266-21 entitled Emergency Resolution which permitted certain immediate and emergent actions; and

WHEREAS, the Township, among other things, moved people into temporary housing at local hotels and took other steps appropriate including deployment of Police, Fire and CERT personnel; and

WHEREAS, the Township has incurred approximately \$375,000 through December 31, 2021 in out-of-pocket costs and expenses; and

WHEREAS, the Township has made demand upon the Property owner to reimburse the Township for such expenses; and

WHEREAS, the Township Attorney has spoken to the insurance adjuster for the Property owner but no resolution of this matter has occurred; and

WHEREAS, the Township requires and mandates that all steps be taken to obtain reimbursement of such funds; and

WHEREAS, the Township law department requests authority to place a lien on the Property and commence all litigation necessary to obtain reimbursement of all funds incurred or to be incurred;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Township be and is hereby authorized and directed to all steps necessary to obtain reimbursement of expenditures from the Property owner, FEMA, and any other person, entity or party who may be responsible for the Property or have available funds to satisfy these costs including but not limited to Police, Fire, emergency, hotel accommodations, attorneys' fees and expenses; and it is further

RESOLVED, that the Township shall immediately record a lien against the Property for the amount set forth herein and any further or future amounts incurred or due to the Township.

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

Susan McCartney
Council President

Adopted: April 26, 2022