

**RESOLUTION OF THE TOWNSHIP OF WEST ORANGE  
DESIGNATING HACKMAN CAPITAL PARTNERS, LLC AS  
CONDITIONAL-REDEVELOPER FOR FILM SERVICES OVERLAY  
DISTRICT (FSOD) OF THE DOWNTOWN REDEVELOPMENT PLAN  
AND AUTHORIZING THE NEGOTIATION OF A REDEVELOPMENT  
AGREEMENT.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, the Township, acting by resolution, determined that a portion of the downtown was an “area in need of redevelopment” (the “Downtown Redevelopment Area”) in accordance with N.J.S.A. 40A:12A-6(b); and

**WHEREAS**, on February 9, 2003 the Township Council approved an Ordinance adopting a redevelopment plan for the Downtown Redevelopment Area (the “Original Redevelopment Plan”); and

**WHEREAS**, the Original Redevelopment Plan has been amended by “Amendments to Downtown Redevelopment Plan,” the “First Amendment,” adopted August 15, 2006, the “Second Amendment,” adopted March 6, 2007, and the “Third Amendment,” adopted in 2010; and

**WHEREAS**, while some redevelopment has occurred, a large portion of the Downtown Redevelopment Area has remained stagnant and undeveloped for many years; and

**WHEREAS**, the Township is pursuing other more viable and feasible development alternatives for the Downtown Redevelopment Area; and

**WHEREAS**, on September 14, 2021, by Ordinance No. 2656-21, the Township adopted a fourth redevelopment plan, entitled Fourth Amendment to Downtown Redevelopment Plan, Township of West Orange, New Jersey (the “Fourth Amended Redevelopment Plan”); and

**WHEREAS**, the Fourth Amended Redevelopment Plan creates a new overlay zone (the Film Services Overlay District (the “FSOD”), which provides for film production activities adjacent to the location of the world's first film production studio, the Black Maria, which was on the grounds of what is now the Thomas Edison National Historical Park; and

**WHEREAS**, the Redevelopment Law, N.J.S.A. 40A:12A-8(f), authorizes the Township to arrange or contract with a redeveloper for the undertaking of any project or redevelopment work in an area designated as an area in need of redevelopment; and

**WHEREAS**, the Township has been in discussions with Hackman Capital Partners, LLC (“HCP”) and the MBS Group, an affiliate of HCP, regarding redevelopment of the FSOD pursuant to the zoning standards under the Fourth Amended Redevelopment Plan; and

**WHEREAS**, the project proposed by HCP and the MBS Group would be consistent with the Fourth Amended Redevelopment Plan; and

**WHEREAS**, the redevelopment work will call for, among other things, demolition of existing improvements and construction of new improvements (the “Project Improvements”); and

**WHEREAS**, in order to facilitate further and continued discussions of the proposed Project Improvements for the FSOD, on March 1, 2022, the Township adopted Resolution No. 44-2022 (the “Prior Resolution”), conditionally-designating the MBS Group as the redeveloper of the FSOD (the “Prior Designation”) and authorizing the execution of the Memorandum of Understanding and Interim Redevelopment Agreement (the “Prior MOU”);

**WHEREAS**, the Prior Resolution provided that the Prior Designation and Prior MOU would be effective for a period of one hundred and eighty (180) days, subject to further extension by mutual agreement of the parties; and

**WHEREAS**, the Township has continued its discussions of the proposed acquisition and development of the Downtown Redevelopment Area with representatives of the MBS Group and its related affiliate HCP, pursuant to the Prior Resolution; and

**WHEREAS**, the Township has determined to let the Prior Resolution, Prior Designation and Prior MOU expire on August 27, 2022 and to adopt a superseding resolution designating HCP and any affiliate entity under the control of HCP (collectively, “Hackman”) as the redeveloper for the FSOD; and

**WHEREAS**, the Township and Hackman have substantially advanced the negotiation of more detailed terms for the acquisition and development of the portions of the Downtown Redevelopment Area; and

**WHEREAS**, the Township desires to adopt this resolution approving the conditional redeveloper designation of Hackman to facilitate negotiation of a redevelopment agreement with Hackman, superseding and replacing the Prior Resolution, Prior Designation and Prior MOU, each of which shall be of no further or continuing effect.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of West Orange, as follows:

**Section 1.** Hackman is hereby conditionally designated as the redeveloper of the FSOD and the Township will negotiate exclusively with the Hackman Redeveloper to enter into a redevelopment agreement with respect to the Downtown Redevelopment Area.

**Section 2.** The Township and Hackman shall each reserve the right, in their sole discretion, to determine whether and on what terms to enter into such an agreement.

**Section 3.** The within designation shall expire without the need for further action on November 22, 2022.

**Section 4.** This resolution shall take effect immediately.

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

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**Susan McCartney**  
**Council President**

**Adopted: September 6, 2022**