

WEST ORANGE TOWNSHIP PLANNING BOARD

RESOLUTION NO. 20-06

RESOLUTION APPOINTING WINDELS MARX LANE & MITTENDORF LLP AS COUNSEL FOR PURPOSES OF ASSISTING THE BOARD'S DETERMINATION OF WHETHER 100 EXECUTIVE DRIVE (BLOCK 155, LOT 40.02), 200 EXECUTIVE DRIVE (Block 155, Lot 42.02), AND 10 ROONEY CIRCLE (BLOCK 155, LOT 41.02) QUALIFY AS AN "AREA IN NEED OF REDEVELOPMENT" AS DEFINED IN THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 ET SEQ (LRHL).

WHEREAS, on September 11, 2020, the New Jersey Superior Court Appellate Division reversed the designation of Essex Green and Executive Drive consisting of approximately seventy (70) acres as an area in need of redevelopment; and

WHEREAS, the Appellate Division Decision reflected certain new statutory provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-5, and the issues which it found existed in the earlier redevelopment process; and

WHEREAS, on September 22, 2020, the Township Council adopted Resolution No. 178-20 which referred to the Planning Board consideration of a smaller area consisting of less than approximately thirty (30) acres on Executive Drive with regard to whether it meets the current criteria to be deemed an area in need of redevelopment; and

WHEREAS, the Planning Board has requested that a lawyer specializing in redevelopment matters be present when the redevelopment study is presented; and

WHEREAS, Susan Gruel of Heyer Gruel & Associates has prepared the new redevelopment study; and

WHEREAS, special meetings of the Board have been publicly noticed for November 18 and 19 (if necessary), 2020 to consider these matters; and

WHEREAS, the firm of Windels Marx Lane & Mittendorf, LLP ("Windels Marx") has substantial redevelopment experience and knowledge to assist the Planning Board in its consideration; and

WHEREAS, Windels Marx has had no prior involvement in this matter; and

WHEREAS, the Township Council approved Resolution 219-20 (Attached hereto as Exhibit A) authorizing Windels Marx's retention for this purpose;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE TOWNSHIP OF WEST ORANGE, that Windels Marx Lane & Mittendorf, LLP is hereby appointed for the purposes of assisting the Planning Board at its aforementioned special meetings on the evenings of November 18 and 19 (if necessary) 2020;

NOVEMBER 17, 2020 ROLL CALL VOTE ON THE RESOLUTION

Board Member	Motion	Second	Aye	Nay	Abstain	Absent
Bagoff (Vice-Chair)						
Johnson (1 st Alt.)						
Smeraldo						
Klein						
McCartney						
Trenk						
Weston (Chair)						
Williams						
Wilkes						

CERTIFICATION

I hereby CERTIFY on this day _____ that the foregoing is a true copy of a Resolution adopted by the West Orange Township Planning Board at a publicly noticed meeting held on November 17, 2020, at which a quorum was present.

Sean McCauley-Secretary