

**RESOLUTION**

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, N.J.S.A. 40A:12A –1 et seq. (the “Local Redevelopment and Housing Law”), the Township of West Orange (the “Township”) is empowered to implement redevelopment plans and carry out redevelopment projects in the Township; and

**WHEREAS**, in accordance with the criteria set forth in the Local Redevelopment and Housing Law, the Township adopted Resolution No. 228-16 which designated as “an area in need of redevelopment” a series of parcels of property referred to as the Central Valley Redevelopment Area (hereinafter referred to collectively as the “Redevelopment Area”) and adopted a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”); and

**WHEREAS**, the Redevelopment Area designated by the Township consists of approximately 2.5 acres and specifically includes parcels of property identified as Block 9, Lots 11.01, 11.02, 11.03, 32, & 36 and Block 7, Lot 22 as each respective parcel of property is designated upon the official Tax Maps of the Township of West Orange (the “Parcels”); and

**WHEREAS**, the Parcels are included as part of the Central Valley Brownfields Development Area (the “BDA”); and

**WHEREAS**, the Parcels are presently owned by various parties, including the Township which has obtained a final judgment in an In Rem Tax Foreclosure pertaining to the parcels identified as Block 9, Lot 36 and Block 7, Lot 22; and

**WHEREAS**, following the final judgment in the In Rem Tax Foreclosure, the Township has obtained title to a vacant lot known as Block 7, Lot 22 (the “Selecto-Flash Vacant Lot”), and Block 9, Lot 36 (the “Selecto-Flash Building Property”) (collectively the “Selecto-Flash Property”); and

**WHEREAS**, N.J.S.A. 40A:12A-8(f) of the Local Redevelopment and Housing Law authorizes the Township to arrange or contract with a redeveloper for the planning, construction

or undertaking of any project or redevelopment work in an area designated as an area in need of redevelopment; and

**WHEREAS**, the Alpert Group with offices at 1 Parker Plaza, Fort Lee, New Jersey 07024 (“Apert”) has engaged in negotiations with the Township regarding its designation as interim redeveloper until December 31, 2019 (the “Term”) during which:

(1) Alpert shall demolish the current buildings located on the Selecto-Flash Building Property as an initial step towards implementation of the Redevelopment Plan;

(2) the Township will undertake remediation of environmental contamination of the Selecto-Flash Building Property; provided funding is available; and

(3) based on the outcome of the remediation effort, Alpert may exercise the option to file an application for land use approvals to develop the Selecto-Flash Building Property consistent with the Redevelopment Plan and to obtain title to the Selecto-Flash Building Property from the Township; and

**WHEREAS**, the Township has determined that it is in the its best interests to select Alpert to serve as the designated interim redeveloper for the Redevelopment Area to implement steps toward the Redevelopment Plan as set forth in the Interim Redevelopment Agreement, annexed hereto as Exhibit “A” (the “Interim Redevelopment Agreement”); and

**WHEREAS**, the Township has determined that in furtherance of the Township’s objectives to implement the redevelopment contemplated in the Redevelopment Plan, it is in the Township’s best interests to enter into the Interim Redevelopment Agreement with Alpert; and

**WHEREAS**, pursuant to the Interim Redevelopment Agreement, Alpert acknowledges and agrees that all uses to which the Redevelopment Area may be devoted are controlled by the Redevelopment Plan and the provisions of the Interim Redevelopment Agreement; and

**WHEREAS**, pursuant to the Interim Redevelopment Agreement, Alpert acknowledges and agrees that under no circumstances shall the it undertake any demolition, rehabilitation, or construction on or development of the Redevelopment Area unless it is materially in accordance with the Redevelopment Plan and the Interim Redevelopment Agreement; and

**WHEREAS**, pursuant to the Interim Redevelopment Agreement, Alpert acknowledges and agrees that if any part of the Redevelopment Area is developed and used in a manner inconsistent with the Agreement or the Redevelopment Plan, the Township shall have the right to terminate the Interim Redevelopment Agreement and Alpert's designation as redeveloper; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Orange pursuant to N.J.S.A. 40A:12A-8(f) hereby authorizes the designation of Alpert as interim redeveloper for the Redevelopment Area pursuant to the terms and conditions of the Interim Redevelopment Agreement, annexed hereto as Exhibit "**A;**" and be it further

**RESOLVED** that the Mayor is hereby authorized to execute the Interim Redevelopment Agreement annexed hereto as Exhibit "**A;**" 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 the Resolution shall be made available in the Clerk's office for reasonable inspection in accordance with applicable law.

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

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**Joe Krakoviak**  
**Council President**

**Adopted: March 7, 2017**