

RESOLUTION

WHEREAS, on September 5, 2017, the Township Council for the Township of West Orange (the "Township") adopted Resolution 200-17 authorizing the Township to retain Matrix New World at 26 Columbia Turnpike in Florham Park, New Jersey ("Matrix") to prepare a Preliminary Assessment and Phase I Environmental Site Assessment for the real property located on Block 176.03, Lot 10 on the Township of West Orange Tax Map, commonly known as 665 Eagle Rock Avenue or 659 Eagle Rock Avenue as designated by the New Jersey Department of Environmental Protection (the "Property") as part of the Township's due diligence prior to acquisition of the Property; and

WHEREAS, during Matrix's investigation, it discovered Sanborn maps from 1939 and 1951, see Exhibit "A" annexed hereto, showing possible existence of underground storage tanks in the southeast corner of the Property which were not accounted for in the Department of Environmental Protection (the "DEP") records nor the records of the Licensed Site Remediation Professional retained a previous owner of the Property, Exxon Mobile, to remediate the Property; and

WHEREAS, the Township desires to perform Geophysical Testing on the Property to determine whether there are still unaccounted underground storage tanks on the Property as part of its due diligence prior to acquisition of the Property; and

WHEREAS, the Township and the Property owner have agreed to extend the due diligence deadline and closing deadline to allow the Township to perform the Geophysical Testing on the Property as set forth in the November 2, 2017 letter agreement, annexed hereto as Exhibit "B;" and

WHEREAS, Matrix has submitted a proposal to the Township to perform the Geophysical Testing on the Property, annexed hereto as Exhibit "C;" and

WHEREAS, Matrix's proposal fixes the fees and costs for the Geophysical Testing at \$2,270; and

WHEREAS, the price of the proposal falls below the bid threshold thereby exempting the services from the requirements of the Local Public Contracts Law; and

WHEREAS, the terms set forth in Matrix's Proposal are agreeable to the Township.

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township be and hereby is authorized to retain Matrix to perform the Geophysical testing on the Property consistent with the Proposal annexed hereto as Exhibit "**C;**" and be it further

RESOLVED, that Mayor is authorized to execute all necessary agreements or documents to retain Matrix consistent with the Proposal annexed hereto as Exhibit "**C;**" and be it further

RESOLVED, that the Municipal Clerk be and is hereby 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 in accordance with applicable law.

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

Joe Krakoviak
Council President

Adopted: November 21, 2017

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

John O. Gross, Chief Financial Officer