

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: _____ Commissioner Thomas J. Evans _____ *Date:* _____ August 18, 2020 _____
Seconded by: _____ *No.* _____ 180-20 _____

BE IT RESOLVED, by the Board of Commissioners of the Township of Nutley, in the County of Essex, State of New Jersey, that the Treasurer be and she is hereby authorized to refund overpayments of the tax charges in the amount of **\$2,490.15** for the following account.

Block/Lot	Address	Amount/Year
404/7	214 KINGSLAND STREET	\$2,490.15

. . .

I, _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the
Eleni Pettas
 foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held _____ August 18, 2020 _____

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Mauro G. Tucci</i>
<i>Yes</i>					
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Commissioner Joseph P. Scarpelli Date: August 18, 2020
 Seconded by: _____ No. 182-20

WHEREAS, Bids for the NJDOT Grant Avenue Roadway Improvements – Section 2 (Myrtle Avenue to River Road) were received and opened on Wednesday, July 29, 2020; and

WHEREAS, Granada Construction Corporation, 147 Thomas Street, Newark, NJ 07114, was the lowest responsible bidder; and

WHEREAS, the Base Bid for NJDOT Grant Avenue Roadway Improvements – Section 2 (Myrtle Avenue to River Road) is in the amount of \$552,507.00; and

WHEREAS, funds are available from Account #G-04-164-401 in the amount of \$406,964.00, and Account #G-04-158-401 in the amount of \$145,543.00; for a total amount of \$552,507.00 and have been certified by the Chief Financial Officer, said certification being attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that a contract be awarded to Granada Construction Corporation, not to exceed \$552,507.00 and that the Mayor and Township Clerk are hereby authorized to enter into and sign said contract for the Township of Nutley.

. . .

I, _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the
 Eleni Pettas
 foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held August 18, 2020

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Mauro G. Tucci</i>
<i>Yes</i>					
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey does hereby designate **TOPOLOGY, LLC.**, as the Planner and enter into an agreement/contract prepared by the Township Attorney, in an amount not to exceed Fifty Thousand Dollars \$50,000.00.

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Eleni Pettas
 foregoing is a true copy of a resolution adopted by the Board of Commissioners at a regular meeting held _____ August 18, 2020

<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Mauro G. Tucci</i>
<i>Yes</i>					
<i>No</i>					
<i>Not Voting</i>					
<i>Absent/Excused</i>					

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Mauro G. Tucci on behalf of *Date:* August 18, 2020
the Board of Commissioners

Seconded by: _____ *No.* 183-20

RESOLUTION CONDITIONALLY APPROVING THE CONSISTENCY REVIEW MATERIALS FOR THE REDEVELOPMENT OF CERTAIN PROPERTY LOCATED WITHIN PHASE IIA OF THE HOFFMANN-LA ROCHE REDEVELOPMENT AREA IN ACCORDANCE WITH THE PHASE IIA REDEVELOPMENT PLAN

WHEREAS, at the direction of the Township Board of Commissioners (“Board of Commissioners”), Maser Consulting, P.A. prepared a preliminary investigation/report entitled “Redevelopment Study Area, Determination of Need, Hoffmann-La Roche Site – Nutley/Clifton, ‘HOFFMANN-LA ROCHE SITE’, Township of Nutley, Essex County, New Jersey,” dated February 5, 2015 (the “Preliminary Investigation”), concerning the Property (as defined herein) in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

WHEREAS, on March 3, 2015, the Board of Commissioners adopted a resolution declaring Block 102, Lot 2; Block 200, Lots 1, 2, 3, 4, 5, 6 and 24; Block 201, Lot 1; Block 300, Lots 1 and 20; Block 2000, Lots 1, 4 and 5; Block 2101, Lot 1, and Block 2304, Lot 17, as shown on the official Tax Map of the Township, also known as a portion of the former Hoffman-La Roche campus located at 340 Kingsland Street, Nutley, New Jersey, containing approximately fifty two (52) acres located in the Township of Nutley (collectively, the “Property”) to be a condemnation “area in need of redevelopment” in accordance with the LRHL (the “Redevelopment Area”); and

WHEREAS, the Board of Commissioners adopted the redevelopment plan entitled “Redevelopment Plan – Nutley HLR/Phase I” for a portion of the Redevelopment Area comprised of Block 2.01, Lot 1.01; Block 2.01, Lot 1.02; Block 2.01, Lot 1.03; and Block 2.01, Lot 1.04 as shown on the Subdivision (as defined herein) containing approximately 10.98 acres (collectively, the “Phase I Premises”); and

WHEREAS, on September 17, 2015, Hoffman-La Roche, Inc. submitted an application to the Planning Board seeking preliminary and final subdivision approval (the “Subdivision”), which Subdivision as approved by the Planning Board, inter alia (a) permits the subdivision of the Phase I Premises into a total of four (4) separately identifiable lots and creates certain private roads as shown on the Subdivision; (b) creates one (1) lot of the four on which will be located portions of the existing structures known as Building 123 and Building 123A, which consist of a six-story building (Building 123) containing approximately 412,092 gross square feet of building area, and a second six-story building (Building 123A) functioning as a wing of Building 123 containing approximately 65,059 gross square feet as shown on the Subdivision; and (b) creates three (3) lots of the four to accommodate surface parking and open space (the “Phase I Project”); and

WHEREAS, on August 7, 2018, after conducting the requisite hearings therefor, the Board of Commissioners, via Ordinance No. 3392, adopted the plan entitled “Nutley Phase IIA Redevelopment Plan”, as amended (the “Phase IIA Redevelopment Plan”), for an approximately 11.88 acre portion of the Property shown and described as Lot V (proposed Lot 1.01, in Block 201), Lot W (proposed Lot 1.02, in Block 201), Lot X (proposed Lot 1.03, in Block 201) and Lot Y (proposed Lot 1.05, in Block 300) in the Phase IIA Redevelopment Plan created from a portion of Block 201, Lot 1, and Block 300, Lots 1 and 20 (to be consolidated and subdivided into up to four (4) new tax lots)(the “Phase IIA Premises”) in accordance with the provisions of the Redevelopment Law; and

WHEREAS, the Township and the PB Nutclif Master, LLC (the “Redeveloper”) entered into a Redevelopment Agreement, dated March 5, 2017, as amended (the “Phase IIA Redevelopment Agreement”), covering the redevelopment of the Phase IIA Project (as defined herein); and

WHEREAS, as of the date hereof, the Redeveloper has received preliminary and final major subdivision approval pursuant to Planning Board Resolution No. PB-18-00003 adopted on September 19, 2018 and preliminary site plan approval pursuant to Planning Board Resolution No. PB-18-00003 adopted on September 19, 2018 (the “2018 Planning Board Approval”) to permit (a) that the Phase IIA Premises will be consolidated, in part, and subdivided, in part, to create four (4) new tax lots and two (2) remainder lots, which remainder lots are not part of the Phase IIA Premises, with each of the existing three (3) buildings within the Phase IIA Redevelopment Area (i.e., Building 76 (now known as 200 Metro Boulevard, which is a 15-story building containing approximately 306,471 gross square feet of building area), Building 1 (now known as 100 Metro Boulevard, which is a seven-story building containing approximately 255,018 gross square feet of building area) and Building 102 (now known as 111 Ideation Way, which is a six-story building containing approximately 153,482 gross square feet of building area) to be located on separate lots, and (b) the construction of a structured parking garage to be utilized exclusively by the occupants (including guests, invitees, visitors, contractors, etc.) of Building 76 (now known as 200 Metro Boulevard), and Building 1 (now known as 100 Metro Boulevard)(collectively, the “Phase IIA Project”); and

WHEREAS, under Section 7.4.A, Approval Process, of the Redevelopment Plan, the Redeveloper shall submit all plans to the Board of Commissioners for review and authorization to proceed before the Planning Board prior to submitting a site plan or subdivision application to the Planning Board and prior to execution of a Redevelopment Agreement with the Town; and

WHEREAS, the Redeveloper desires to amend the 2018 Planning Board Approval relative to the off-street parking configuration and landscaping serving Building 102 (now known as 111 Ideation Way (Lot 1.05, Block 300)) and the subdivision of 111 Ideation Way (Lot 1.05, Block 300) into two (2) lots; and

WHEREAS, the Redeveloper submitted and presented the following to the Board of Commissioners on August 11, 2020: (a) a plan, prepared by GreenbergFarrow, dated through July 14, 2020, entitled “Previously/Revised proposed Site Layout Comparison (Sheet Number 1 of 2)”, consisting of one (1) sheet; (b) a plan, prepared by GreenbergFarrow, dated through July 14, 2020, entitled “Initial/Revised Landscape Comparison (Sheet Number 2 of 2)”, consisting of one (1) sheet; and (c) a plan, prepared by GreenbergFarrow, dated through July 21, 2020, entitled “Layout

BOARD OF COMMISSIONERS
TOWNSHIP OF NUTLEY, NEW JERSEY

Resolution

Introduced by: Mayor Mauro G. Tucci on behalf of *Date:* August 18, 2020
the Board of Commissioners

Seconded by: _____ *No.* 184-20

WHEREAS, the Township of Nutley has a need for the services of a Special Redevelopment Counsel, for Redevelopment of the Diamond Springs site through a non-fair and non-open contract as a professional service pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 20A: 11-1, et, seq., as amended; and

WHEREAS, John P. Inglesino of the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., 600 Parsippany Road Suite 204, Parsippany New Jersey 07054 has ably and continuously provided various Special Development Counsel to the township over the years; and

WHEREAS, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC., has submitted a 2020 fee schedule to provide such services at an hourly rate of \$215.00 for legal services by attorneys and an hourly rate of \$100.00 for services by paralegal or law clerk; and

WHEREAS, the contract will not exceed \$25,000.00 for the period September 1, 2020 through December 31, 2020; and funds are available from Account No. 0-01-012-205 which will be certified by the Chief Financial Officer, said certification is subject to adoption of the 2020 Municipal Budget;

WHEREAS, The Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying contributions to a political or candidate committee in the Township of Nutley in the previous one year that would violate N.J.S.A. 15:44A-20.5, or the Township’s Local Unit Pay To Play Ordinance or NJ Election Law Enforcement Commission disclosure requirements, and that the contract will bar John P. Inglesino from making any reportable contributions through the term of the contract; and

BOARD OF COMMISSIONERS
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Resolution

Introduced by: Mayor Mauro G. Tucci on behalf of *Date:* August 18, 2020
the Board of Commissioners

Seconded by: _____ *No.* 185-20

WHEREAS, the Township of Nutley has a need for the services of a Special Redevelopment Counsel, for Downtown Redevelopment of the Downtown area including the Ciccolini site through a non-fair and non-open contract as a professional service pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 20A: 11-1, et, seq., as amended; and

WHEREAS, John P. Inglesino of the Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., 600 Parsippany Road Suite 204, Parsippany New Jersey 07054 has ably and continuously provided various Special Development Counsel to the township over the years; and

WHEREAS, John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC., has submitted a 2020 fee schedule to provide such services at an hourly rate of \$215.00 for legal services by attorneys and an hourly rate of \$100.00 for services by paralegal or law clerk; and

WHEREAS, the contract will not exceed \$25,000.00 for the period September 1, 2020 through December 31, 2020; and funds are available from Account No. 0-01-012-205 which will be certified by the Chief Financial Officer, said certification is subject to adoption of the 2020 Municipal Budget;

WHEREAS, The Law Firm of Inglesino, Webster, Wyciskala & Taylor, LLC., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable disqualifying contributions to a political or candidate committee in the Township of Nutley in the previous one year that would violate N.J.S.A. 15:44A-20.5, or the Township’s Local Unit Pay To Play Ordinance or NJ Election Law Enforcement Commission disclosure requirements, and that the contract will bar John P. Inglesino from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey contract for Special Development Counsel as follows:

- A. That Mayor and Township Clerk are hereby authorized and directed to execute, seal and deliver a contract for professional legal services with John P. Inglesino of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany, New Jersey 07054, pursuant to a non-fair and non-open process in accordance with N.J.S.A. 19:44A-20.5 for a term beginning September 1, 2020 through December 31, 2020 for the stated hourly rates not to exceed \$25,000.00.
- B. A copy of this Resolution, as well as the contract and the Business Disclosure Entity Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with the clerk.
- C. A copy of the Resolution shall be published as required by law within 10 days of its passage.

. . .

I, _____, Township Clerk of the Township of Nutley, Essex County, NJ, do hereby certify that the
 Eleni Pettas
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<i>Record of Vote</i>	<i>Commissioner John V. Kelly, III</i>	<i>Commissioner Thomas J. Evans</i>	<i>Commissioner Alphonse Petracco</i>	<i>Commissioner Joseph P. Scarpelli</i>	<i>Mayor Mauro G. Tucci</i>
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