

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2015-216

Council Meeting Date: 06-08-2015

Date Adopted: 06-08-2015

TITLE: RESOLUTION APPROVING GRANT AGREEMENT WITH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY FOR A HAZARDOUS DISCHARGE SITE REMEDIATION FUND, PUBLIC ENTITY GRANT FOR THE PING WANG PROPERTY

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the Borough of New Providence has been awarded a Hazardous Discharge Site Remediation Fund, Public Entity Grant for the project:

Application #P40178 - Ping Wang Property	\$74,015.00
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NOW THEREFORE BE IT RESOLVED that the New Jersey Economic Development Authority Hazardous Discharge Site Remediation Fund, Public Entity Grant contract be approved in the form as attached hereto, and that the Mayor and Borough Clerk are authorized to sign same on behalf of the Borough.

APPROVED, this 8th day of June, 2015.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 8th day of June, 2015.

Wendi B. Barry, Borough Clerk



NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

May 18, 2015

Mr. Douglas Marvin, Borough Administrator
Borough of New Providence
360 Elkwood Ave.
New Providence Boro, New Jersey 07974

Re: **HDSRF, NOTICE OF APPROVAL LETTER**
HDSRF, Public Entity Grant Program
Application #P40178
Applicant: Borough of New Providence
Project Site: Ping Wang Property
Grant Award: \$74,015

Dear Mr. Marvin:

I am pleased to inform you that, the members of the New Jersey Economic Development Authority (the "Authority") approved the application of Borough of New Providence for a \$74,015 Hazardous Discharge Site Remediation Fund (the "Fund") Grant ("Grant") from the New Jersey Department of Environmental Protection (the "Department") for the Remedial Investigation along with report preparation at the Ping Wang Property site (the "Project"), as stated in your request for Grant assistance.

The Authority has approved the Grant upon the terms and conditions set forth in this notice of approval letter. No act or omission by or on behalf of the Authority shall be deemed as a waiver to any of the terms and conditions contained in this letter. Such a waiver may be made only by an instrument in writing duly executed by an authorized representative of the Authority.

NAME OF GRANTEE:	Borough of New Providence
PROJECT SITE:	Ping Wang Property 43 Division Street, New Providence Boro Block 121, Lot(s) 4 County Union
GRANT:	\$74,015 from the Fund

CONDITIONS:

The Grantee shall complete the Project substantially as set forth in its request for Grant assistance.

The interests of the Grantee and the Authority are or may be different and may conflict. The Authority's attorney represents only the Authority and does not represent the Grantee in the Grant transaction. The Grantee, therefore, is advised to employ an attorney licensed to practice in the State of New Jersey, of the Grantee's own choice, to represent the Grantee's interest in the Grant transaction.

The credit of the Grantee and all other features of the transaction shall be as represented to the Authority without material adverse change. The Grantee shall not be involved in any bankruptcy, reorganization or insolvency proceeding.

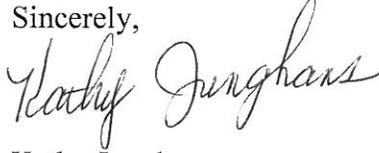
Counsel to the Authority must be satisfied with respect to the legality, validity, binding effect, and enforceability of all instruments, agreements, and documents used to effect and consummate the transactions contemplated herein.

Each unsatisfied covenant, term and condition of this notice of approval which is not expressly waived in writing by the Authority shall survive any closing hereunder. In case of any conflict between any unwaived and unsatisfied covenant, term or condition of this notice of approval and the provisions of the Grant documents delivered at or pursuant to any closing regarding this Grant, the unwaived and/or unsatisfied covenant, term or condition of this notice of approval shall control.

This notice of approval is subject to acceptance by the Grantee of the terms and conditions contained herein. This notice of approval letter must be signed and returned to the undersigned.

The Authority's commitment shall terminate and the Authority shall have no further obligation in connection with your application if the notice of approval is not signed and returned to the Authority within 120 days of its delivery or month's end, whichever is later. In addition, in the event that the Grant is not closed on or before 90 days from the acceptance date of the notice of approval, the Authority's obligation to provide Grant shall terminate and you will be required to submit a new application.

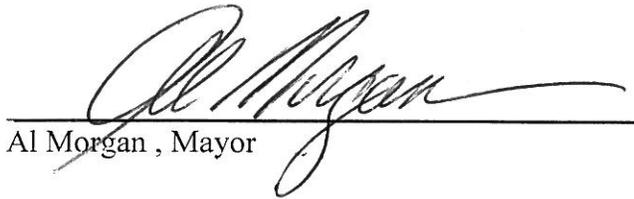
We are pleased to be of service to your Grant needs. If you have any questions regarding this matter, please contact Kathy Junghans at 609-858-6732.

Sincerely,

Kathy Junghans
Finance Officer

ACCEPTED AND AGREED
THIS _____ DAY OF
_____, 2015

BY:

GRANTEE:



Al Morgan , Mayor

cc: Rachel Orobono-Stopper; NJDEP

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2013-229

Council Meeting Date: 07-09-2013

Date Adopted: 07-09-2013

TITLE: RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority have a grant program available know as the Hazardous Discharge Site Remediation Fund, which provided grants to municipalities for the investigation of sites, which have, known or suspected discharge of hazardous substances or hazardous waste.

WHEREAS, the Borough of New Providence has determined that there has been, or suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Ping Wang property located at 43 Division Avenue, Block 121, Lot 24.

WHEREAS, the Borough of New Providence, County of Union, State of New Jersey, is committed to the redevelopment of the Ping Wang Site for the purpose of recreation and finds that a realistic opportunity exists for the redevelopment of Ping Wang Site within a three year period after the completion of the remediation of this site.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey, that the Maser Consulting, PA. is authorized to update the previously submitted Hazardous Discharge Site Remediation Fund Application for the Ping Wang Site for submission to the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority.

APPROVED, this 8th day of July, 2013.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN	X			
MUÑOZ	X			
ROBINSON	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 8th day of July, 2013.

Wendi B. Barry, Borough Clerk

Borough Of New Providence
County Of Union
State Of New Jersey

J. Brooke Hern, Mayor

Funds are hereby certified as available.

\$ _____

Account # _____

Finance Dept.

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2009 - 213

Council Meeting Date: 07-27-09 Date Adopted: 07-27-09

TITLE: RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION
FOR A GRANT FROM THE HAZARDOUS DISCHARGE SITE
REMEDIATION FUND

Councilperson Galluccio submitted the following resolution, which was duly seconded by
Councilperson Cucco.

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority have a grant program available know as the Hazardous Discharge Site Remediation Fund, which provided grants to municipalities for the investigation of sites, which have, known or suspected discharge of hazardous substances or hazardous waste.

WHEREAS, the Borough of New Providence has determined that there has been, or suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Ping Wang property located at 43 Division Avenue, Block 121, Lot 24.

WHEREAS, the Borough of New Providence, County of Union, State of New Jersey, is committed to the redevelopment of the Ping Wang Site for the purpose of recreation and finds that a realistic opportunity exists for the redevelopment of Ping Wang Site within a three year period after the completion of the remediation of this site.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey, that the Maser Consulting, PA. is authorized to prepare a Hazardous Discharge Site Remediation Fund Application for the

Ping Wang Site for submission to the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority.

APPROVED, this 27th day of July, 2009

John A. Thoms, Mayor

RECORD OF COUNCIL VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUCCO	X			
GALLUCCIO	X			
GENNARO	X			
HERN	X			
MACDERMOTT	X			
VYZAS	X			

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 27th day of July, 2009.

Wendi B. Barry, Borough Clerk