

**RESOLUTION**  
Of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2015-244

Council Meeting Date: 06-22-2015

Date Adopted: 06-22-2015

TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT OF N.J.S. 40A:4-87 CHAPTER 159, P.L. 1948

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW THEREFORE BE IT RESOLVED the Mayor and Borough Council of the Borough of New Providence, County of Union and State of New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of item of revenue in the Budget of 2015 in the sum of \$ 74,015.00 which item is now available as revenue from the New Jersey Economic Development Authority, HDSRF, Public Entity Grant Program.

BE IT FURTHER RESOLVED that that a like sum, be and the same is hereby appropriated under the captions of:

**2015 HDSRF, Public Entity Grant Program                      \$ 74,015.00**

BE IT FURTHER RESOLVED, that this resolution be filed with the Director of Local Government Services.

APPROVED, this 22<sup>nd</sup> 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 22<sup>nd</sup> 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.

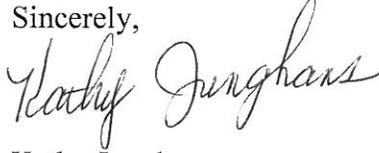
Counsel to the Authority must be satisfied with respect to the legality, validity, binding effect, and enforceability of all instruments, agreements, and documents used to effect and consummate the transactions contemplated herein.

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.**

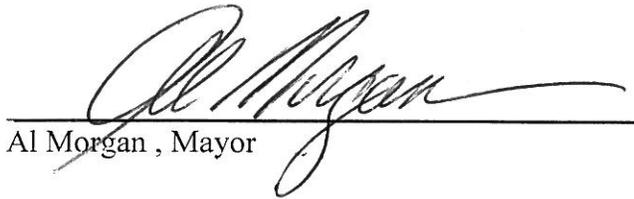
We are pleased to be of service to your Grant needs. If you have any questions regarding this matter, please contact Kathy Junghans at 609-858-6732.

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 8<sup>th</sup> 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 8<sup>th</sup> 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 27<sup>th</sup> day of July, 2009.

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Wendi B. Barry, Borough Clerk